



**ROANOKE CITY COUNCIL
REGULAR SESSION**

**SEPTEMBER 6, 2005
9:00 A.M.**

ROOM 159

AGENDA

Call to Order--Roll Call.

A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, and to interview an applicant for a vacancy on the Industrial Development Authority, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended.

P 9

A communication from Vice-Mayor Beverly T. Fitzpatrick, Jr., requesting that Council convene in a Closed Meeting for consultation with legal counsel on a matter of actual litigation, where such consultation in open meeting would adversely affect the litigating posture of Council, pursuant to Section 2.2-3711(A)(7), Code of Virginia (1950), as amended.

P 10

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended.

P 11

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended.

P 12

Items listed on the 2:00 p.m. Council docket requiring discussion/clarification, and additions/deletions to the 2:00 p.m. agenda. (5 minutes)

Topics for discussion by the Mayor and Members of Council. (15 minutes)

- Victory Stadium Consultant contract

Items for discussion at a joint meeting of Council and the Roanoke Redevelopment and Housing Authority on Monday, October 3, 2005, at 12:00 p.m.

BRIEFINGS:

- | | | |
|--|---|---------------|
| • Legislative Issues | – | 30–40 minutes |
| • Day Avenue Project | – | 20 minutes |
| • New Fire Station at Franklin Road | – | 20 minutes |
| • FY2005 Year End Financial Presentation | | 30 minutes |
| • Cadet Program | | 10 minutes |
| • Martin Luther King, Jr. Bridge (1:30 p.m.) | – | 15 minutes |

P 13;
P 14;
P 15;
P 16;
P 17;
P 18

THE COUNCIL MEETING WILL BE DECLARED IN RECESS TO BE RECONVENED AT 2:00 P.M., IN THE CITY COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR MUNICIPAL BUILDING.



**ROANOKE CITY COUNCIL
REGULAR SESSION**

**SEPTEMBER 6, 2005
2:00 P.M.**

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call.

The Invocation will be delivered by Mayor C. Nelson Harris.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Harris.

Welcome. Mayor Harris.

NOTICE:

Today's Council meeting will be replayed on Channel 3 on Thursday, September 8, 2005, at 7:00 p.m., and Saturday, September 10, 2005, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE WEDNESDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGEMENTS:

Government Finance Officers Association Certificates of Achievement for Excellence in Financial Reporting.

3.

CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meetings of Council held on Monday, July 18, 2005, and Monday, August 1, 2005.

P 19;
P 57

RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.

- C-2 A communication from the City Manager requesting that Council schedule a public hearing for Monday, September 19, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to the Capital Maintenance and Equipment Replacement Program (CMERP).

P 102

RECOMMENDED ACTION: Concur in the request.

- C-3 A communication from the City Manager requesting that Council schedule a public hearing for Monday, September 19, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to the lease of air rights at 301 Jefferson Street, S. W., in order to install balconies along Kirk Avenue.

P 103

RECOMMENDED ACTION: Concur in the request.

- C-4 A communication from Gloria P. Manns tendering her resignation as a Trustee of the Roanoke City School Board.

P 104

RECOMMENDED ACTION: Accept the resignation and receive and file the communication.

- C-5 Fifth Annual Report of the Industrial Development Authority for the period July 1, 2004 through June 30, 2005.

P 105

RECOMMENDED ACTION: Receive and file.

- C-6 Qualification of Susan M. Egbert as a member of the Roanoke Arts Commission, for a term ending June 30, 2008.

RECOMMENDED ACTION: Receive and file.

REGULAR AGENDA

BID OPENINGS:

Bids for the lease of certain City-owned property located in the Commonwealth Building for office space for a term of up to ten years.

4. PUBLIC HEARINGS:

- a. Proposal of the City of Roanoke to lease City-owned property located in the Commonwealth Building for office space for a term of up to ten years. Darlene L. Burcham, City Manager. O 128

5. PETITIONS AND COMMUNICATIONS:

- a. A communication from Mayor C. Nelson Harris recommending establishment of a policy for awarding the Key to the City. P 130
- b. Presentation with regard to the Hall Associates Career & Employment Assistance Center at Virginia Western Community College. Sandra R. McMinnis, Spokesperson. (Sponsored by Mayor Harris and Vice-Mayor Fitzpatrick.) P 131

6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. Acceptance of the Victim/Witness Assistance Program Grant from the Department of Criminal Justice Services; and appropriation and transfer of funds. P 132;
B/O 137;
R 138

- | | | |
|----|---|-----------------------------|
| 2. | Acceptance of the Edward Byrne Memorial Justice Assistance Grant from the U. S. Department of Justice; and appropriation of funds. | P 139;
B/O 141;
R 142 |
| 3. | Acceptance of the Buffer Zone Protection Program Grant from the Department of Homeland Security; and appropriation of funds. | P 143;
B/O 145;
R 146 |
| 4. | Transfer of \$672,651.00 in connection with the Fire/EMS Administration Facility Funding. | P 147;
O 149 |
| 5. | Approval of a 12-month extension of the agreement with JDR ART, Inc., dated September 17, 2004, in connection with the "Unity" sculpture. | P 150;
R 151 |

b. DIRECTOR OF FINANCE:

- | | | |
|----|--|-------|
| 1. | Financial report for the month of June 2005. | P 152 |
|----|--|-------|

7. REPORTS OF COMMITTEES: NONE.

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- | | | |
|----|--|-------|
| a. | A resolution designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Session and meetings of the Urban Section of the Virginia Municipal League, and designating a Staff Assistant for any meetings of the Urban Section, in connection with the Annual Virginia Municipal League Conference to be held on October 23 – 25, 2005, in Richmond, Virginia. | R 177 |
| b. | A resolution designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Meeting of the National League of Cities on Saturday, December 10, 2005, in Charlotte, North Carolina. | R 178 |

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor and Members of City Council.
- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

12. CITY MANAGER COMMENTS:

CERTIFICATION OF CLOSED SESSION.



C. NELSON HARRIS
Mayor

**CITY OF ROANOKE
OFFICE OF THE MAYOR**

215 CHURCH AVENUE, S.W., ROOM 452
ROANOKE, VIRGINIA 24011-1594
TELEPHONE: (540) 853-2444
FAX: (540) 853-1145

September 6, 2005

The Honorable Vice-Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Members of Council:

This is to request a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, and to interview an applicant for a vacancy on the Industrial Development Authority, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

Sincerely,

A handwritten signature in black ink that reads "C. Nelson Harris". The signature is written in a cursive, flowing style.

C. Nelson Harris
Mayor

CNH:snh



C. NELSON HARRIS
Mayor

CITY OF ROANOKE

CITY COUNCIL

215 Church Avenue, S.W.
Noel C. Taylor Municipal Building, Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

Council Members:
M. Rupert Cutler
Alfred T. Dowe, Jr.
Beverly T. Fitzpatrick, Jr.
Sherman P. Lea
Brenda L. McDaniel
Brian J. Wishneff

September 6, 2005

The Honorable Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Mayor and Members of Council:

This is to request a Closed Meeting for consultation with legal counsel on a matter of actual litigation, where such consultation in open meeting would adversely affect the litigating posture of Council, pursuant to Section 2.2-3711(A)(7), Code of Virginia (1950), as amended.

Sincerely,

A handwritten signature in black ink, reading "Beverly T. Fitzpatrick, Jr." in a cursive style.

Beverly T. Fitzpatrick, Jr.
Vice-Mayor

BTFJr:snh

pc: Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Mary F. Parker, City Clerk



CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364

Roanoke, Virginia 24011-1591

Telephone: (540) 853-2333

Fax: (540) 853-1138

CityWeb: www.roanokegov.com

September 6, 2005

The Honorable Mayor and Members
of City Council
Roanoke, Virginia

Subject: Request for closed meeting

Dear Mayor Harris and Council Members:

This is to request that City Council convene a closed meeting to discuss the disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to §2.2-3711.A.3, Code of Virginia (1950), as amended.

Sincerely,

A handwritten signature in black ink, reading "Darlene Burcham". The signature is fluid and cursive, with the first name "Darlene" and last name "Burcham" clearly visible.

Darlene L. Burcham
City Manager

DLB/f

c: William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Mary F. Parker, City Clerk



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CityWeb: www.roanokegov.com

September 6, 2005

The Honorable Mayor and Members
of City Council
Roanoke, Virginia

Subject: Request for closed meeting

Dear Mayor Harris and Council Members:

This is to request that City Council convene a closed meeting to discuss the acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to §2.2-3711.A.3, of the Code of Virginia (1950), as amended.

Sincerely,

A handwritten signature in black ink, reading "Darlene L. Burcham".

Darlene L. Burcham
City Manager

DLB/s

c: William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Mary F. Parker, City Clerk



WILLIAM M. HACKWORTH
CITY ATTORNEY

CITY OF ROANOKE
OFFICE OF CITY ATTORNEY
464 MUNICIPAL BUILDING
215 CHURCH AVENUE, SW
ROANOKE, VIRGINIA 24011-1595

TELEPHONE: 540-853-2431
FAX: 540-853-1221
EMAIL: cityatty@roanokeva.gov

TIMOTHY R. SPENCER
STEVEN J. TALEVI
GARY E. TEGENKAMP
DAVID L. COLLINS
HEATHER P. FERGUSON
ASSISTANT CITY ATTORNEYS

September 6, 2005

Honorable C. Nelson Harris, Mayor and
Members of City Council
Roanoke, Virginia

Re: Legislative Issues

Dear Mayor Harris and Members of Council:

This is to request space on Council's agenda for a 30 – 40 minute presentation on the above referenced subject by Tom Dick.

Respectfully submitted,

A handwritten signature in black ink that reads "Bill Hackworth".

William M. Hackworth
City Attorney

WMH:s

cc: Darlene L. Burcham, City Manager
Jesse A. Hall, Director of Finance
Mary F. Parker, City Clerk



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OFFICE OF THE CITY MANAGER

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CityWeb: www.roanokegov.com

September 6, 2005


Honorable C. Nelson Harris, Mayor and Members
of City Council
Roanoke, VA

Dear Mayor Harris and Members of Council:

Subject: Day Avenue Project Update

This is to request space on Council's agenda for a 20 minute presentation on the above referenced subject.

Respectfully submitted,


Darlene L. Burcham
City Manager

DLB:sm

c: City Clerk
City Attorney
Director of Finance



CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

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CityWeb: www.roanokegov.com

September 6, 2005


Honorable C. Nelson Harris, Mayor and Members
of City Council
Roanoke, VA

Dear Mayor Harris and Members of Council:

Subject: Fire Station Update

This is to request space on Council's agenda for a 20 minute presentation on the above referenced subject.

Respectfully submitted,


Darlene L. Burcham
City Manager

DLB:sm

c: City Clerk
City Attorney
Director of Finance



CITY OF ROANOKE
DEPARTMENT OF FINANCE

215 Church Avenue, S.W., Room 461

P.O. Box 1220

Roanoke, Virginia 24006-1220

Telephone: (540) 853-2821

Fax: (540) 853-6142

JESSE A. HALL

Director of Finance

email: jesse_hall@ci.roanoke.va.us

ANN H. SHAWVER

Deputy Director

email: ann_shawver@ci.roanoke.va.us

September 6, 2005

Honorable Mayor and Members of City Council
Roanoke, Virginia

Dear Mayor and Members of Council:

Subject: FY2005 Year End Financial Presentation

The purpose of this letter is to reserve space on Council's morning agenda on September 6, 2005, for a 30-minute briefing on the above referenced subject.

Sincerely,

A handwritten signature in cursive script that reads "Jesse A. Hall".

Jesse A. Hall
Director of Finance

JAH:ca

c: Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney



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OFFICE OF THE CITY MANAGER

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CityWeb: www.roanokegov.com

September 6, 2005


Honorable C. Nelson Harris, Mayor and Members
of City Council
Roanoke, VA

Dear Mayor Harris and Members of Council:

Subject: Cadet Program

This is to request space on Council's agenda for a 10 minute presentation on the above referenced subject.

Respectfully submitted,


Darlene L. Burcham
City Manager

DLB:sm

c: City Clerk
City Attorney
Director of Finance



CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

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CityWeb: www.roanokegov.com

September 6, 2005


Honorable C. Nelson Harris, Mayor and Members
of City Council
Roanoke, VA

Dear Mayor Harris and Members of Council:

Subject: Martin Luther King Jr. Bridge
Update

This is to request space on Council's agenda for a 15 minute presentation on
the above referenced subject.

Respectfully submitted,


Darlene L. Burcham
City Manager

DLB:sm

c: City Clerk
City Attorney
Director of Finance

REGULAR WEEKLY SESSION----ROANOKE CITY COUNCIL

July 18, 2005

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, July 18, 2005, at 2:00 p.m., the regular meeting hour, in the Roanoke City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor C. Nelson Harris presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 37109-070505 adopted by the Council on Tuesday, July 5, 2005.

PRESENT: Council Members Brian J. Wishneff (arrived late), M. Rupert Cutler, Alfred T. Dowe, Jr., Beverly T. Fitzpatrick, Jr., Sherman P. Lea, Brenda L. McDaniel and Mayor C. Nelson Harris-----7.

ABSENT: None-----0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The invocation was delivered by Council Member Sherman P. Lea.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

PRESENTATIONS AND ACKNOWLEDGEMENTS:

ACTS OF ACKNOWLEDGEMENT-SCHOOLS: The Mayor recognized the following students who participated in the City's 2005 Summer Intern Program:

Ron Miller - Rising Senior/Virginia Tech/Majoring in Business Information Technology

Miranda Diggs - Rising Senior/Radford University/Majoring in Management and Marketing

Christina Sawyer – Rising Junior/Bridgewater College/Majoring in Business Administration

Ashley Reynolds – Second Year–Law Student at William and Mary School of Law

Blake Taylor – Rising Junior/Concord University/Majoring in Criminal Justice

Rashad Hamidullah – Rising Senior/West Virginia University/Majoring in Political Science/Pre Law

Brian Muelenaer – Rising Senior/Roanoke College/Majoring in Business Administration/Marketing

Stephanie Berry – May 2005 Graduate/Point Loma Nazarene University, San Diego, California/Degree in Communications with a Minor in Psychology

Erica Peterson – Graduate Student/Radford University/Industrial Organizational Psychology Master's Program

Twyla Stephen – December 2004 Graduate/Ferrum College/BS in Accounting/Business Financial Management

Michelle Hamilton – May 2005 Graduate/Elon University/Degree in Exercise Sports Science

ACTS OF ACKNOWLEDGEMENT–DISABLED PERSONS: The Mayor presented a proclamation to Tuan Reynolds, Community Action Specialist for Blue Ridge Independent Living Center, declaring the year 2005 as Virginians With Disabilities Act and Americans With Disabilities Act Year.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately. He called specific attention to two requests for Closed Session.

MINUTES-HOUSING/AUTHORITY: Council Member Lea requested that the minutes of the regular meeting of Council held on Monday, June 6, 2005, be removed from the Consent Agenda for discussion.

Council Member Lea advised that at the Council's Work Session on June 6, 2005, Council was briefed on a proposal to relocate administrative offices of the Roanoke Redevelopment and Housing Authority from 2624 Salem Turnpike, N. W., to Municipal North; whereupon, he requested a status report by the City Manager.

The City Manager advised that the previous briefing outlined two options; i.e.: the Housing Authority requested space on the second floor of Municipal North with a separate entrance to be provided on the Campbell Avenue side; however, since the RDHA requested 15,000 square feet of office space it was determined that sufficient space was not available on the second floor, therefore, it was necessary to locate the Housing Authority on at least two floors of Municipal North. She stated that reopening the Campbell Avenue entrance would cost in the range of \$250,000.00 due to the need for significant repairs and the probability of installing railings that would be required to meet Architectural Review Board standards given the architectural significance of Municipal North. She advised that an alternate plan was reviewed that would place the majority of Housing Authority activities on the third floor which has the largest amount of square footage of any of the floors in Municipal North, and would allow for the Housing Authority and the City's Department of Housing and Neighborhood Services to be located in close proximity, and space on the first floor adjacent to the handicap accessible ramp would also be available for Housing Authority Section 8 certification customers and others. She noted that while the space allocation may not be exactly what the Housing Authority requested, the Executive Director advises that the Housing Authority is satisfied with the proposed arrangements; Hayes, Seay, Mattern and Mattern will prepare a space allocation study and has already begun a series of one on one interviews; and all of the space is not clearly defined pending results of the space allocation study.

Minutes of the regular meeting of Council held on Monday, June 6, 2005, were before the body.

(For full text, see Minutes on file in the City Clerk's Office.)

Vice-Mayor Fitzpatrick moved that the reading of the minutes be dispensed with and that the minutes be approved as recorded. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----7.

NAYS: None-----0.

COMMITTEES-CITY COUNCIL: A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Vice-Mayor Fitzpatrick moved that Council concur in the request of the Mayor to convene in a Closed Meeting as above described. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----7.

NAYS: None-----0.

AUDIT COMMITTEE: Minutes of a meeting of the Audit Committee which was held on Monday, June 20, 2005, were before the body.

Topics of discussion included: Internal Audit Report, Police Property Room, Street Lighting, Municipal Auditing 2006 Annual Plan, KPMG External Audit-Fiscal Year 2005-Audit Committee Planning Meeting.

Vice-Mayor Fitzpatrick moved that the minutes be received and filed. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----7.

NAYS: None-----0.

CITY COUNCIL-LEASES-COMMONWEALTH OF VIRGINIA BUILDING: A communication from the City Manager requesting that Council schedule a public hearing for Monday, August 15, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to execution of a new lease with the United States General Services Administration for office space in the Commonwealth Building, was before the body.

It was advised that the United States of America General Services Administration (GSA) has leased space in the Commonwealth Building, 220 Church Avenue, S. W., since February 1986; and the City proposes to enter into a new lease with the GSA for 19,841 rentable square feet of office space in the Commonwealth Building for a ten-year period ending March 31, 2015, at an estimated revenue of \$2,392.845.00.

Vice-Mayor Fitzpatrick moved that Council concur in the request of the City Manager to schedule a public hearing. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----7.

NAYS: None-----0.

CITY COUNCIL-CITY PROPERTY-INDUSTRIES-HOSPITALS-LEASES: A communication from the City Manager requesting that Council schedule a public hearing for Monday, August 15, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, in connection with execution of a new lease with Carilion Bio Medical Institute for office space at 111 - 117 Church Avenue, S. W., was before the body.

Vice-Mayor Fitzpatrick moved that Council concur in the request of the City Manager to schedule a public hearing. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----7.

NAYS: None-----0.

CITY COUNCIL: A communication from the City Manager requesting that Council convene in Closed Meeting to discuss the disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Vice-Mayor Fitzpatrick moved that Council concur in the request of the City Manager as above described. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----7.

NAYS: None-----0.

PARKS AND RECREATION-COMMITTEES-ROANOKE ARTS COMMISSION-COURT COMMUNITY CORRECTIONS BOARD-CONVENTION OF VISITORS BUREAU-GREENWAY SYSTEMS: A report of qualification of the following persons, was before Council:

Barry W. Baird as a member of the Roanoke Valley Greenway Commission, for a term ending June 30, 2008;

John B. Ferguson as a member of the Court Community Corrections Program Regional Community Criminal Justice Board, for a term ending June 30, 2008;

Betty Field, Louise F. Kegley, Carl H. Koptizke, Michael A. Loveman and E. C. Pace, III, as members of the Mill Mountain Advisory Committee, for terms ending June 30, 2008;

Cathy C. Greenberg as a member of the Roanoke Arts Commission, to fill the unexpired term of Courtney A. Penn, resigned, ending June 30, 2007;

Thomas Pettigrew as a member of the Parks and Recreation Advisory Board, for a term ending March 31, 2008; and

Barton J. Wilner as a member of the Roanoke Valley Convention and Visitors Bureau, for a term ending June 30, 2006.

Vice-Mayor Fitzpatrick moved that the reports of qualification be received and filed. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----7.

NAYS: None-----0.

REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS:

SEWERS AND STORM DRAINS–BUILDINGS/BUILDING DEPARTMENT: Ms. Suzanne Osborne, 1702 Blair Road, S. W., addressed Council with regard to the City's requirement for backflow testing on residential lawn sprinkling systems, which affects approximately 70 residents of the City of Roanoke. She stated that the City has not previously required annual backflow testing, however, pursuant to a communication from Roy McFarland, Jr., Building Inspections Department, dated March 15, 2005, residents were given until April 30 to comply. She advised that attached to Mr. McFarland's letter was a list of 12 – 15 certified testers; however, there are no listings in the yellow pages of the telephone directory for certified backflow testers. She stated that sources referenced by Mr. McFarland, quoted a price ranging from \$90.00 an hour to a flat fee of \$250.00, plus a \$35.00 permit fee; and \$90.00 to \$250.00 is a large spread, in addition to the \$35.00 permit fee, for a system that may be used approximately six months out of the year. She added that according to the Technical Service Manager, Virginia Building Permit Department, backflow testing is not a State mandated requirement, but is optional by locality. She advised that if the City of Roanoke wishes to require that residential lawn irrigation systems be tested annually, it should be done at the City's expense and not at the expense of the property owner. Therefore, she requested that Council instruct the City Manager to give further consideration to the matter.

Council Member Wishneff advised that two questions should be addressed; i.e.: is the requirement for backflow testing mandated by the State and what is the role of the Western Virginia Water Authority.

The City Manager advised that prior to creation of the Western Virginia Water Authority, the City of Roanoke and Roanoke County adopted the requirement for backflow testing.

Council Member Cutler advised that as Chair of the Western Virginia Water Authority, he would obtain information with regard to backflow testing.

Vice-Mayor Fitzpatrick advised that in addition to the information requested by Council Member Wishneff, he would like to know if property owners were appropriately notified, the fairness of the policy, and a broad overview of backflow device testing.

Following further discussion and without objection by Council, the Mayor advised that the matter would be referred to the City Attorney for an opinion on whether testing of backflow prevention devices is mandatory for all jurisdiction in the Commonwealth of Virginia and to the City Manager for an overview of the City's policy regarding backflow testing.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS:

The City Manager introduced Nancy Snodgrass, Zoning Administrator, for a briefing on the proposed new Zoning Ordinance.

Ms. Snodgrass advised that the City of Roanoke initiated a process to develop an entirely new Zoning Ordinance and Zoning Map in June 2002 which would be consistent with and implement policies of Vision 2001-2020, the City's Comprehensive Plan. She advised that:

- The City's current Zoning Ordinance was adopted in 1987; Vision 2001 which was adopted in August 2001, set a comprehensive new direction for the City in terms of development patterns, urban design, protection of residential neighborhoods, preservation of recreation lands and open spaces, tree canopy, impervious surfaces, off street parking, and signage.
- The new direction was driven by more than 2,000 residents and businesses who participated in development of the Comprehensive Plan.
- The process to comprehensively rewrite the City's Zoning Ordinance incorporated and has continued to incorporate significant citizen participation; a 20 member steering committee was appointed in the summer of 2002 that provided direction for development of the new

ordinance, reviewed and revised draft regulations, and provided ongoing feedback; the committee was comprised of representatives from focus groups that were convened during the initial phase of the process, as well as representatives from City Council, the City Planning Commission, Board of Zoning Appeals, Architectural Review Board, and City staff.

- In February, 2004, 18 months into the process, the steering committee released the public discussion draft that was intended to generate discussion and further public input; at that same time staff released the public discussion draft of a proposed Zoning Map that applied the designations of the ordinance draft.
- Release of public discussion drafts, including posting on the City's website, initiated a four month public discussion phase that resulted in more than 1,100 comments via letters and e-mails, 11 structured focus group work sessions, six public open houses, and numerous staff meetings with or presentations to various neighborhoods and civic organizations, such as Downtown Roanoke, Inc., the Williamson Road Area Business Association, Roanoke Valley Chamber of Commerce, Neighbors in South Roanoke, Old Southwest, Inc., and the Gainsboro Steering Committee.
- Following the public discussion phase, staff organized all 1,100 comments into a lengthy spreadsheet, researched alternatives or revised regulations, and benchmarked draft sign and landscaping regulations with other jurisdictions.
- For six months, beginning in June of 2004, the steering committee met weekly to consider all 1,100 comments and to recommend changes to the draft documents.
- In December 2004, the steering committee presented the draft Zoning Ordinance to the City Planning Commission; the document represented a two and one half year effort by committee members that included in-depth discussions of regulatory concepts relative to Vision 2001-2020, and direct involvement in reviewing and revising draft regulations; meetings represent more than 1,500 person hours volunteered by committee members, not to mention significant individual time devoted to studying drafts, public comments, and benchmarking surveys.

- The committee's draft was posted on the City's website in December 2004 in a strike/highlight format that utilized the February 2004 public discussion draft as its base, making changes from the draft readily identifiable.
- A 40 page spreadsheet of comments received and how the committee draft responded to the comments was also made available on the website and through the Planning Department.
- Since release in December, the committee's draft has been available for public review, and staff has continued to meet with various civic and neighborhood organizations such as Valley Beautiful, WRABA, Old Southwest, Inc. and the Gilmer neighborhood.
- The steering committee's draft ordinance became the public hearing document that will go before the City Planning Commission on July 28, 2005.
- With completion of the committee's draft ordinance, staff continued to work on the new Zoning Map, which delineates zoning districts created by the proposed Zoning Ordinance.
- Because the proposed ordinance establishes a new zoning classification system, the proposed Zoning Map represents a comprehensive rezoning of the City.
- Since release of the initial Zoning Map proposal in February 2004, staff has reviewed and considered each comment received on the proposed zoning map until release of the public hearing map in mid May.
- In preparation for the City Planning Commission's public hearings, staff has worked closely with the City Attorney's Office to determine logistics and content of public notification and it is believed that the City of Roanoke has done more than any other jurisdiction in the Commonwealth of Virginia to give legal notice and individual property owner notification.

- An eight page legal ad supplement was, or will be, included in *The Roanoke Times* on July 12 and July 19, 2005, which includes a descriptive summary of the proposed ordinance and zoning map, both base districts and overlay districts.
- Because the proposed zoning ordinance establishes certain new districts and changes specific definitions and regulations of certain districts, and because all properties in the City of Roanoke will be assigned a new zoning classification, more than 43,000 notices were mailed to owners of every tax parcel in the City of Roanoke on Thursday, July 14, including a letter outlining the City's intent to consider a new zoning ordinance and map, setting forth the time and place of the City Planning Commission's public hearing and explaining how to determine the proposed zoning of a specific property.
- While all notification packets included the same cover letter and a descriptive summary of the entire ordinance, each packet also contained a descriptive summary of the base district proposed for that specific property and a descriptive summary of any applicable overlay district; the mailing label identifies the tax parcel and the proposed zoning of the property, both base and any applicable overlay.
- Because regulations and language of the Zoning Ordinance are not easily understood, the Planning Department telephone number is included in the mailing, and citizens are encouraged to call staff to address questions regarding a specific property.
- It is important that citizens understand that all existing uses will be grandfathered as provided by law, and current uses of most parcels will not be affected by provisions of the proposed ordinance unless and until current use of the property is changed or redeveloped.
- The City Planning Commission will hold public hearings on the proposed Zoning Ordinance and map on Thursday, July 28, 2005, in the City Council Chamber at 4:00 p.m.; no recommendation will be made by the Planning Commission at that time; after public hearings are closed, staff will compile and organize all public hearing comments in a format that will allow the Planning Commission to consider all comments and the proposed ordinance and map in a systematic manner; the Planning Commission will meet in weekly evening work sessions until it is ready to make a recommendation on the Zoning Ordinance and map to Council.

- A series of weekly work sessions have been scheduled throughout the month of August.
- When the Planning Commission is ready to forward its recommendation to City Council, two legal ad supplements that represent the Planning Commission's recommended versions of the ordinance and map will be published in *The Roanoke Times* prior to the Council's public hearing.

Members of Council expressed appreciation to the Zoning Ordinance Steering Committee, the Zoning Administrator and the Department of Planning and Code Enforcement for their commitment to updating the City's Zoning Ordinance.

ITEMS RECOMMENDED FOR ACTION:

BUDGET-GRANTS: The City Manager submitted a communication advising that notification was received from the Commonwealth of Virginia Commission for the Arts (Commission) that a \$5,000.00 Local Government Challenge Grant was awarded to the City of Roanoke; and application for the grant was made at the request of the Arts Council of Roanoke Valley, Mill Mountain Theatre, Opera Roanoke, Roanoke Symphony Orchestra, Roanoke Ballet Theatre, Inc., and Young Audiences of Virginia.

It was further advised that in order to receive the funds, the Commission for the Arts must obtain written confirmation that local tax revenue dollars will be used to match or exceed the amount of the grant; and for fiscal year 2005-2006, the above referenced organizations will receive local funding as recommended by the Roanoke Arts Commission and approved by Council on June 6, 2005, in the following amounts:

Arts Council of Blue Ridge	\$14,880.00
Mill Mountain Theatre	13,830.00
Opera Roanoke	9,300.00
Roanoke Symphony Orchestra	29,500.00
Young Audiences of Virginia	4,665.00
Roanoke Ballet Theatre, Inc.	6,380.00

It was noted that grant funds will be distributed to the above referenced sponsoring agencies in the amount of approximately \$833.00 each.

The City Manager recommended that she be authorized to execute the necessary documents for acceptance of the grant, subject to approval as to form by the City Attorney; and that Council adopt a budget ordinance appropriating \$5,000.00 in State grant funds and create a corresponding revenue estimate in accounts to be established by the Director of Finance in the Grant Fund entitled "Challenge Grant FY 06".

Council Member Dowe offered the following budget ordinance:

(#37117-071805) AN ORDINANCE to establish the Local Government Challenge Grant, amending and reordaining certain sections of the 2005-2006 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 497.)

Council Member Dowe moved the adoption of Ordinance No. 37117-071805. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----7.

NAYS: None-----0.

Council Member Dowe offered the following resolution:

(#37118-071805) A RESOLUTION authorizing the acceptance of Local Government Challenge Grant No. 06-0322 from the Virginia Commission for the Arts, upon certain terms and conditions.

(For full text of resolution, see Resolution Book No. 69, Page 497.)

Council Member Dowe moved the adoption of Resolution No. 37118-071805. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----7.

NAYS: None-----0.

POLICE DEPARTMENT-BUDGET-NEIGHBORHOOD ORGANIZATIONS-GRANTS:
The City Manager submitted a communication advising that the City of Roanoke was awarded grant funds, in the amount of \$100,000.00, by the U. S. Department of Justice through the Project Safe Neighborhoods Grant Program which is administered through the Virginia Association of Chiefs of Police (VACP).

It was further advised that grant funds must be used by the Police Department to address gun trafficking and juvenile gang crime; and specific plans for funding include augmentation of neighborhood bicycle patrols, juvenile programs, and replacement of police bicycles and several in-car digital video cameras.

The City Manager recommended that she be authorized to execute the grant agreement and any related documents, subject to approval as to form by the City Attorney; and that Council accept the Project Safe Neighborhoods Grant of \$100,000.00 from the U. S. Department of Justice; adopt an ordinance appropriating \$100,000.00, as follows, to accounts to be established by the Director of Finance in the Grant Fund and establish a revenue estimate in the same amount in the Grant Fund.

Overtime	\$46,445.00
FICA	3,555.00
Expendable Equipment	33,000.00
Fees for Professional Services	16,000.00
Administrative Supplies	<u>1,000.00</u>
Total	\$ 100,000.00

Vice-Mayor Fitzpatrick offered the following budget ordinance:

(#37119-071805) AN ORDINANCE to appropriate funding for the Project Safe Neighborhoods Grant, amending and reordaining certain sections of the 2005-2006 Grant Funds Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 498.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37119-071805. The motion was seconded by Council Member McDaniel.

Mr. Shaheed Omar, 1219 Loudon Avenue, N. W., advised that while it is important to apprehend drug dealers, it is also important to address the needs of those persons who are addicted to drugs. He stated that the City of Roanoke offers one detoxification facility where low income persons may receive treatment, however, the number of beds are limited and due to lack of space, drug users are turned away and left to deal with their addiction on their own. He advised that more treatment facilities and detox beds are needed in order to help drug addicts break the habit which will, in turn, reduce the City's crime rate.

Upon question, the City Manager advised that the matter referenced by Mr. Omar has been identified as an issue, however, she was not prepared to respond at this time. She stated that staff will research the issue to identify available options and advise Council accordingly. She explained that the Project Safe Neighborhood Grant is not intended to be used for ongoing issues such as those referenced by Mr. Omar.

Ordinance No. 37119-071805 was adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----7.

NAYS: None-----0.

Vice-Mayor Fitzpatrick offered the following resolution:

(#37120-071805) A RESOLUTION authorizing the acceptance of a Project Safe Neighborhoods Grant from the U. S. Department of Justice, and authorizing execution of any required documentation on behalf of the City.

(For full text of resolution, see Resolution Book No. 69, Page 499.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 37120-071805. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----7.

NAYS: None-----0.

BUDGET-GRANTS-ENTERPRISE ZONE-ECONOMIC DEVELOPMENT: The City Manager submitted a communication advising that the City of Roanoke has two Enterprise Zones, One A and Two; only Enterprise Zone One A provides a facade grant incentive through the Industrial Development Authority of the City of Roanoke; those projects intended to refurbish the exterior of a building facing a street are eligible for one third of the cost of rehabilitation, up to a maximum of \$25,000.00 per project; in fiscal year 2005, \$103,240.21 was distributed in facade grants, resulting in almost \$1 million in improvements; all funds in the account are expended on a yearly basis; and according to the Enterprise Zone application, facade grants require a yearly appropriation of \$100,000.00.

The City Manager recommended that Council adopt an ordinance appropriating funds in the amount of \$100,000.00 for facade grants from the Economic and Community Development Reserve to Account No. 08-310-9736-9003, Facade Grants.

Council Member Dowe offered the following budget ordinance:

(#37121-071805) AN ORDINANCE to appropriate funding from the Economic and Community Development Reserve for Facade Grants in the Enterprise Zone One A Project, amending and reordaining certain sections of the 2005-2006 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 500.)

Council Member Dowe moved the adoption of Ordinance No. 37121-071805. The motion was seconded by Vice-Mayor Fitzpatrick.

Council Member Wishneff advised that Brian J. Wishneff and Associates serves as consultant for the Culinary School project, therefore, he would abstain from voting on the ordinance inasmuch as the project may be a candidate for facade grant funding.

Ordinance No. 37121-071805 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Wishneff abstained from voting.)

HUMAN DEVELOPMENT-GRANTS: The City Manager submitted a communication advising that the City of Roanoke is grant recipient for Workforce Investment Act (WIA) funding, thus, City Council must appropriate funds for all grants and other monies received in order for the Western Virginia Workforce Development Board administers the Federally funded Work Force Investment Act (WIA) for Area 3, which encompasses the Counties of Alleghany, Botetourt, Craig, Franklin, and Roanoke, and the Cities of Covington, Roanoke, and Salem.

It was further advised that WIA funding is intended for four primary client populations:

- Dislocated workers who have been laid off from employment through no fault of their own;
- Economically disadvantaged individuals as determined by household income guidelines defined by the U. S. Department of Labor;
- Youth who are economically disadvantaged, or have other barriers to becoming successfully employed adults; and
- Businesses in need of employment and job training services.

It was further advised that the Virginia Employment Commission (VEC) has submitted a WIA agreement for the City of Roanoke to continue to serve as the grant recipient for WIA Area 3 to be operated by the Western Virginia Workforce Development Board.

The City Manager recommended that she be authorized to execute the required Grant Agreement with the Virginia Employment Commission for Program Year 2006.

Council Member McDaniel offered the following resolution:

“A RESOLUTION authorizing the City Manager to execute the Grant Agreement with the Virginia Employment Commission for Program Year 2006 in order for the City to continue as the grant recipient of funding for the Workforce Investment Act for Area 3”.

Council Member McDaniel moved the adoption of the resolution. The motion was seconded by Vice-Mayor Fitzpatrick.

Council Member Lea referred to an article in the Sunday, July 17, 2005 edition of *The Roanoke Times* which indicated that the Workforce Board was hastily reorganized without sensitivity toward diversity. He stated that actions of the Workforce Board are of concern to him as one member of City Council and he would like the assurance that the Workforce Board will act in accordance with established guidelines and with integrity and a sensitivity toward diversity. Therefore, he requested that the City Attorney be instructed to address the issue of liability, if any, to the City of Roanoke in its capacity as grant recipient of funds and legal requirements for Workforce Board structure.

Council Member Lea moved that a representative of Total Action Against Poverty (TAP) and TAP's This Valley Works Program be reinstated to the Workforce Board, and that the Workforce Board be directed to proceed immediately to create a diverse workforce.

The motion was seconded by Council Member Dowe.

The Mayor advised that a resolution is currently on the floor and parliamentary procedure prevents introduction of another motion while an existing motion is on the floor.

Following discussion of the matter in which Council Member Lea indicated that he would prefer a response by the City Attorney to his questions prior to voting on the resolution.

The Mayor called on the City Manager for response as to whether adoption of the resolution is time sensitive; whereupon, the City Manager advised that prior to responding to the question, she would like to confer with appropriate officials of the Virginia Employment Commission. In response to Council Member Lea's questions, she advised that while the City of Roanoke is the fiscal agent and has been the fiscal agent for many years for the program under consideration and previous programs, the City of Roanoke is only one jurisdiction out of the region that is responsible for making policy decisions; and as the City of Roanoke's current designee to the Workforce Board she would make the Board aware of concerns expressed by Council Member Lea.

The Director of Finance was requested to comment on the City's level of responsibility in its role as fiscal agent; whereupon, he advised that as fiscal agent, the City receives funds which are passed on to subgrantees and, in general, the City has the responsibility to assure that funds are spent according to program guidelines.

Vice-Mayor Fitzpatrick spoke in favor of adopting the resolution which would enable funds to flow to the Virginia Employment Commission to address the needs of dislocated workers who have been laid off from employment. At the same time, he stated that the City Manager could address the questions/concerns expressed by Council Member Lea and any other pertinent information that may be necessary.

Council Member Dowe expressed a reluctance to vote for the resolution until the questions raised by Council Member Lea have been addressed. He stated that he is concerned with not only the issue of diversity, but because certain people of color who brought expertise not only to the Workforce Investment Board, but to any organization on which they might serve, were removed from the Workforce Board.

Prior to making a decision with regard to the City of Roanoke continuing to serve as fiscal agent, Council Member Wishneff suggested that the City study the feasibility of administering the program in house.

Following further discussion, it was the consensus of Council that action on the resolution would be tabled until the end of the 2:00 p.m. Council session pending a response by staff to the questions/concerns expressed by Council Member Lea.

PURCHASE/SALE OF PROPERTY-HEALTH DEPARTMENT-GRANTS: The City Manager submitted a communication advising that Kuumba Community Health & Wellness Center, Inc., is a Federally qualified community health center, with a mission to increase access to affordable, high quality, comprehensive and preventive health care that is culturally sensitive for the citizens of the Roanoke Valley; Kuumba Community Health & Wellness Center, Inc., was established in 1999, and the first clients were served in December 2000; since that time, Kuumba has become known as one of a few safety net providers of primary health care in the area; Kuumba leases the site of the current facility located at 3716 Melrose Avenue, N. W., from the William A. Hunton Branch YMCA; and to allow for facility expansion and future staffing increases in order to serve more clients and to offer a broader array of health services, Kuumba applied for Community Development Block Grant (CDBG) funds to acquire the property at 3716 Melrose Avenue, N. W.

It was further advised that Kuumba will begin a capital campaign to raise funds to construct a new facility on the same site; on May 10, 2005, Council authorized Kuumba-New Facility, pursuant to Resolution No. 37051-051005, which approved the Five Year Consolidated Plan for 2005-2010, including the Fiscal Year 2005-2006 One Year Action Plan, for submission to the U. S. Department of Housing and Urban Development (HUD); and \$125,000.00 of 2005-2006 CDBG funds was appropriated for Kuumba-New Facility on June 20, 2005, pursuant to Ordinance No. 37086-062005 and Resolution No. 37087-062005, pending receipt of a letter of approval from HUD.

It was stated that in order for Kuumba to proceed with acquisition of the property located at 3716 Melrose Avenue, N. W., authorization by Council is needed to execute a subgrant agreement; CDBG funding is available in Account No. 35-G06-0637-5475 and will be provided to Kuumba to assist with acquisition of and costs associated with purchase of the property; and it is anticipated that Kuumba will increase the number of low-to-moderate income clients to be served once the new facility is constructed.

The City Manager recommended that she be authorized to execute the 2005-2006 CDBG Subgrant Agreement with Kuumba Community Health & Wellness Center, Inc., subject to approval as to form by the City Attorney.

Council Member Dowe offered the following resolution:

(#37122-071805) A RESOLUTION authorizing the City Manager to execute a CDBG-funded Agreement, and any necessary amendments thereto, with Kuumba Community Health & Wellness Center, Inc., providing \$125,000.00 of Community Development Block Grant (CDBG) funds to assist with the acquisition of, and costs associated with, the purchase of property located at 3716 Melrose Avenue, N. W., Roanoke, Virginia.

(For full text of resolution, see Resolution Book No. 69, Page 500.)

Council Member Dowe moved the adoption of Resolution No. 37122-071805. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----7.

NAYS: None-----0.

FIRE DEPARTMENT-ENVIRONMENTAL POLICY: The City Manager submitted a communication advising that the City of Roanoke has enrolled the site of the new Fire Station/Administration Building located at 704 Franklin Road, S. W., in the Virginia Department of Environmental Quality's (VDEQ) Voluntary Remediation Program (VRP); and due to past use of a portion of the site as a dry cleaning operation, the City's decision to enter the site into the VRP provides the City of Roanoke with certain immunities under Virginia law with regard to waste management and air and water quality.

It was further advised that a stipulation for participation in the VRP was the City's agreement to a Declaration of Restrictive Covenants associated with the property that permits groundwater beneath the property to be used only for environmental monitoring and testing and that the property shall not be used for residential purposes or for a child daycare facility, schools or playground purposes; and the residential exclusion does not apply to the use of the property for a fully-staffed Fire Station/Administration Building.

The City Manager recommended that she be authorized to execute a Declaration of Restrictive Covenants and any documentation required by the Virginia Department of Environmental Quality and such other documents as may be necessary to obtain VDEQ approval under the Volunteer Remediation Program.

Council Member Cutler offered the following ordinance:

(#37123-071805) AN ORDINANCE authorizing the City Manager to execute a Declaration of Restrictive Covenants and Certification of Satisfactory Completion of Remediation and any documentation required by the Virginia Department of Environmental Quality (VDEQ) and take such further action as may be needed to obtain the VDEQ approval for a Certification of Satisfactory Completion of Remediation for certain City owned property located at 704 Franklin Road, S. W., containing approximately 0.77 acre, and being Official Tax Map No. 1020310; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 501.)

Council Member Cutler moved the adoption of Ordinance No. 37123-071805. The motion was seconded by Vice-Mayor Fitzpatrick.

Council Member Wishneff advised that he would vote in favor of the ordinance because it is an important step to take regardless of how the site is used; however, he reiterated his opposition to the closing of Fire Station No. 1 in downtown Roanoke and the relocation of Fire Station No. 1 to the proposed site on Franklin Road which does not provide a good location for a fire station due to poor access to the site. He stated that caution should be exercised when taking prime real estate at intersections off the City's tax roles. At a future Council meeting, he requested a briefing on the status of the fire station project, a discussion with regard to the wisdom of closing Fire Station No. 1 in downtown Roanoke as a fire station and a poll by those persons/businesses served by Fire Station No. 1.

Ordinance No. 37123-071805 was adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----7.

NAYS: None-----0.

STATE HIGHWAYS: The City Manager submitted a communication advising that as part of the effort to complete the Final Environmental Impact Statement for the I-73 Location Study, the Virginia Department of Transportation (VDOT) has developed a Programmatic Agreement that enumerates responsibilities of the signatories in implementing various stipulations of the Programmatic Agreement to resolve adverse effects to the Blue Ridge Parkway; and the City of Roanoke is one of several consulting parties involved in the process of evaluating potential impacts to the Blue Ridge Parkway.

It was further advised that the Federal Highway Administration (FHWA) and VDOT intend to address potential adverse effects through implementation of a Memorandum of Agreement (MOA) developed in consultation with consulting parties identified for the project by the FHWA; a draft MOA was issued in October 2004, followed by a revised draft MOA issued in April 2005; all comments from consulting parties were addressed and incorporated and at this time, the FHWA has determined that based on comments received on the revised draft MOA, no further substantive changes to the agreement document have been made; and the FHWA now requests signatures on the final Programmatic Agreement for the I-73 Corridor Project.

With regard to the Blue Ridge Parkway (BRP) crossing design, it was explained that the Agreement stipulates, in part, that "The VDOT shall implement the Project so that the major features of the Interstate 73 crossing of the BRP include a divided median interstate with six traffic lanes that will be maintained within the existing 160-foot-wide dedicated right-of-way of Route 220; no direct connection between Interstate 73 and the BRP shall be constructed in the current location of the Route 220 and BRP interchange; as desired by the NPS-BRP, VDOT shall remove the existing access connection between Route 220 and the BRP upon initiation of construction of the section of the Project crossing the BRP; VDOT shall remit to the NPS-BRP at the time of said construction the amount of cost savings to the Project that result from the decision not to restore the existing access (savings equal to the amount design and construction of the access ramps would cost if access were restored); the NPS-BRP shall apply this money to the design and construction of an access connection to the BRP at another location in the Clearbrook area of Roanoke County between BRP mileposts 120 and 123; and the location will be determined by the NPS-BRP in consultation with Roanoke County and the City of Roanoke".

The City Manager recommended that Council authorize the Mayor to execute the agreement, which is binding on the City for 20 years.

Council Member Cutler offered the following resolution:

(#37124-071805) A RESOLUTION authorizing the Mayor to execute an I-73 Programmatic Agreement with the Federal Highway Administration (FHWA), the Advisory Council on Historic Preservation, the Virginia State Historic Preservation Officer, the Virginia Department of Transportation, the National Park Service, and Roanoke County, regarding the Interstate 73 Corridor proposed to run through the City of Roanoke, such agreement containing provisions seeking to resolve any adverse effects this undertaking may have on the Blue Ridge Parkway or other historic properties.

(For full text of resolution, see Resolution Book No. 69, Page 502.)

Council Member Cutler moved the adoption of Resolution No. 37124-071805. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----7.

NAYS: None-----0.

BUDGET-MILL MOUNTAIN THEATER: The City Manager submitted a communication advising that during Fiscal Year 2005-2006 Budget Study, Council was briefed on a funding request of Mill Mountain Theater; and as a part of the briefing and subsequent discussion, staff provided Council with a recommendation which included the provision of \$200,000.00 for capital improvements over four years as a part of the fiscal year 2005-2006 Capital Maintenance and Equipment Replacement Program (CMERP).

It was further advised that Mill Mountain Theater requested consideration for allocation of \$125,000.00 in the first year and \$25,000.00 each year for three subsequent years; Mill Mountain Theater also requested that funding be made available in July in order to make the capital improvements during the off-season; and in order to facilitate provision of the funding in July, it will be necessary to front fund the allocation from the Capital Project Contingency with reimbursement from the Capital Maintenance and Equipment Replacement Program.

The City Manager recommended that Council authorize transfer of \$125,000.00 from Capital Project Contingency, Account No. 08-530-9575-9178, to an account to be established by the Director of Finance in the Capital Projects Fund.

Vice-Mayor Fitzpatrick offered the following budget ordinance:

(#37125-071805) AN ORDINANCE to transfer funding from Capital Improvement Reserve for the Mill Mountain Theater, amending and reordaining certain sections of the 2005-2006 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 504.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37125-071805. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----7.

NAYS: None-----0.

REPORTS OF COMMITTEES: NONE.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:
NONE.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

ACTS OF ACKNOWLEDGEMENT-CITY INFORMATION SYSTEMS: Council Member Cutler congratulated the City's Public Information Officer in connection with an article that was published in the *Virginia Town and City* magazine entitled, "World Comes to Downtown Roanoke Via Wire-less Internet Technology".

PARKS AND RECREATION-BICYCLISTS: Council Member Cutler referred to two events that were held during the past weekend; i.e.: competitive mountain biking events at Carvins Cove Natural Reserve and Mill Mountain Park and the Mill Mountain Hill Climb from Belleview and Walnut Avenues to the Mill Mountain Star. He advised that the events demonstrate that the City of Roanoke is a bicycle friendly community.

YOUTH: Council Member Lea advised that he represented the City of Roanoke at the closing ceremony of World Changers. He called attention to and commended the level of excitement that was exhibited by the young people who participated in the program.

YOUTH: Council Member McDaniel spoke in support of implementation by area churches and other organizations of a home-based World Changers program in the Roanoke community.

ACTS OF ACKNOWLEDGMENT-VA AMATEUR SPORTS/COMMONWEALTH GAMES: On behalf of the City of Roanoke, Council Member Dowe advised that he accepted an award from Virginia Amateur Sports in recognition of the City of Roanoke's 2005 sponsorship of the Virginia Commonwealth Games which were held on July 15-17, 2005, in the Roanoke Valley.

REFUSE COLLECTION: Council Member Wishneff presented the City Manager with photographs of various types of trash receptacles that were taken by a citizen of Roanoke while vacationing in Europe.

ACTS OF ACKNOWLEDGEMENT-CITY COUNCIL: The Mayor advised that July 1, 2005, marked the beginning of his second year as Mayor; whereupon, he expressed appreciation to the Members of Council for their support by representing the City of Roanoke at various community events and activities, all of which is a testament to the commitment of Council Members to the citizens of Roanoke.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, recommendation or report to Council.

POLICE DEPARTMENT-CITY MANAGER-CITY COUNCIL: Mr. Shaheed Omar, 1219 Loudon Avenue, N. W., advised that as a result of his recent appearance before Council with regard to alleged police brutality and the City's police complaint process, he received a communication from the City Manager responding to certain suggestions. He stated that it is hoped that this will mark the beginning of dialogue regarding the police complaint process and urged that Council review the City Manager's letter and provide input with regard to proposed suggestions.

ARMORY/STADIUM: Mr. Jim Fields, 17 Ridgecrest Road, Hardy, Virginia, spoke with regard to renovating Victory Stadium and an agreement which was entered into between Norfolk Southern Railway and the City of Roanoke with regard to maintaining Victory Stadium and the National Guard Armory. He stated that the City plans to spend \$136,000.00 to prepare Victory Stadium for high school football in the fall and suggested that instead of spending funds on temporary restroom facilities, the money could be better used toward renovation of current restrooms.

COMPLAINTS-FIRE DEPARTMENT: Ms. Josephine Hutchison, 1111 Loudon Avenue, N. W., expressed concern with regard to closing the fire station at 12th Street and Loudon Avenue, N. W. She questioned whether or not adequate notice was given to residents of the area with regard to the proposed closure and also questioned whether closing the fire station at 12th Street is a racial act.

COMPLAINTS–FIRE DEPARTMENT: Ms. Helen E. Davis, 35 Patton Avenue, N. E., spoke in opposition to closing City fire stations. She advised that petitions signed by citizens in opposition to the proposed closure have been ignored by City officials. She suggested that the City utilize the services of the Virginia Department of Fire Programs to conduct an evaluation of the Roanoke Fire Department, which is a service that has been provided to many fire departments in the Commonwealth of Virginia at no cost other than the cost of lodging, food and travel. She explained that results of the evaluation would be provided to the City Manager and the Fire Chief and would provide the Fire Chief with the necessary information to support or to modify the proposed reorganization of fire service.

SEGREGATION/INTEGRATION–COMPLAINTS: Mr. Tony Hairston, 1263 Tayloe Avenue, S. E., expressed concern with regard to race relations in the City of Roanoke. He also expressed concern with the way he was treated as a resident at the Total Action Against Poverty Transitional Living Center, and the loss of his job at a local restaurant due to racial remarks.

CITY MANAGER COMMENTS: NONE.

At 4:15 p.m., the Mayor declared the Council meeting in recess for two Closed Sessions.

At 5:10 p.m., the Council meeting reconvened in the City Council Chamber, with all Members of the Council in attendance, Mayor Harris presiding.

COUNCIL: With respect to the Closed Meeting just concluded, Council Member McDaniel moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Wishneff was not present when the vote was recorded.)

OATHS OF OFFICE-COMMITTEES-WAR MEMORIAL: The Mayor advised that the terms of office of Sloan H. Hoopes, Harold H. Worrell, Sr., Robert O. Gray, Alfred C. Moore, and Philip C. Schirmer as members of the War Memorial Committee expired on June 30, 2005; Mr. Moore has declined to serve another term; whereupon, he opened the floor for nominations to fill the vacancies.

Vice-Mayor Fitzpatrick placed in nomination the names of Sloan H. Hoopes, Harold H. Worrell, Sr., Robert O. Gray and Philip C. Schirmer.

There being no further nominations, Mr. Hoopes was reappointed for a term ending June 30, 2008, Messrs. Worrell and Gray were reappointed for terms ending June, 30, 2007, and Mr. Schirmer was reappointed for a term ending June 30, 2006, as members of the War Memorial Committee by the following vote:

FOR MESSRS. HOOPES, WORRELL, GRAY AND SCHIRMER: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----6.

(Council Member Wishneff was not present when the vote was recorded.)

(Council, by consensus, agreed to stagger the terms of office.)

OATHS OF OFFICE-COMMITTEES-LIBRARIES: The Mayor advised that there are vacancies on the Roanoke Public Library Board created by the resignation of Samuel G. Oakey, III, for a term ending June 30, 2006; expiration of the term of office of Roland H. Macher on June 30, 2005; Mr. Macher is ineligible to serve another term, whereupon, he opened the floor for nominations to fill the vacancies.

Vice-Mayor Fitzpatrick placed in nomination the names of Anne E. Caldwell and Susan Koch.

There being no further nominations, Ms. Caldwell was appointed for a term ending June 30, 2006, and Ms. Koch was appointed for a term ending June 30, 2008, as members of the Roanoke Public Library Board, by the following vote:

FOR MS. CALDWELL AND MS. KOCH: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----6.

(Council Member Wishneff was not present when the vote was recorded.)

OATHS OF OFFICE-COMMITTEES-TOWING ADVISORY BOARD: The Mayor advised that there is a vacancy on the Towing Advisory Board created by the resignation of Patrick Shumate for a term ending June 30, 2006; whereupon, he opened the floor for nominations to fill the vacancy.

Vice-Mayor Fitzpatrick placed in nomination the name of Thomas W. Ruff.

There being no further nominations, Mr. Ruff was appointed as a member of the Towing Advisory Board to fill the unexpired term of Patrick Shumate, ending June 30, 2006, by the following vote:

FOR MR. RUFF: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel and Mayor Harris-----6.

(Council Member Wishneff was not present when the vote was recorded.)

HUMAN DEVELOPMENT-GRANTS: Council having tabled a resolution authorizing execution of the Workforce Investment Act Grant Agreement with the Virginia Employment Commission for Program Year 2006 until conclusion of the Council's 2:00 p.m. session, Vice-Mayor Fitzpatrick moved that the matter be tabled until the 7:00 p.m. session of the Council. The motion was seconded by Council Member McDaniel and unanimously adopted.

At 5:15 p.m., the Mayor declared the Council meeting in recess to be reconvened at 7:00 p.m., in the Council Chamber.

At 7:00 p.m., on Monday, July 18, 2005, the Council meeting reconvened in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Vice-Mayor Beverly T. Fitzpatrick, Jr., presiding.

PRESENT: Council Members Brian J. Wishneff (arrived late), M. Rupert Cutler, Alfred T. Dowe, Jr., Sherman P. Lea, Brenda L. McDaniel and Vice-Mayor Beverly T. Fitzpatrick, Jr. -----6.

ABSENT: Mayor C. Nelson Harris-----1.

The Vice-Mayor declared the existence of a quorum.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney, Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The invocation was delivered by Council Member Alfred T. Dowe, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Vice-Mayor Fitzpatrick.

PUBLIC HEARINGS:

WATER RESOURCES: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, July 18, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the amendment and Restated Articles of Incorporation of the Western Virginia Water Authority, changing the terms of office of members of the Board of Directors to begin on July 1, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, June 17, 2005.

The City Attorney submitted a written report advising that the Board of the Western Virginia Water Authority has requested that its Articles of Incorporation be amended to provide that after the terms of the present members end, the terms of their successors will commence on July 1 of the year of their appointment, rather than on March 1 as is currently the case; the stated purpose of the request is to permit members to serve through the Authority's annual budget process and not have their terms end or begin in the midst of the process; the procedure that must be followed to amend the Water Authority's Articles of Incorporation is the same as that which was followed when they were adopted in 2004; and Roanoke County and the City of Roanoke must advertise, at least 30 days in advance, a public hearing, after which the governing bodies of the localities may adopt concurrent resolutions authorizing amended Articles of Incorporation to be filed with the State Corporation Commission.

Council Member Cutler offered the following resolution:

(#37126-071805) A RESOLUTION amending and restating the Articles of Incorporation for the Western Virginia Water Authority (the "Authority").

(For full text of resolution, see Resolution Book No. 69, Page 505.)

Council Member Cutler moved the adoption of Resolution No. 37126-071805. The motion was seconded by Council Member McDaniel.

The Vice-Mayor inquired if there were persons present who would like to speak in connection with the proposed amendment. There being none, he declared the public hearing closed.

There being no questions or comments by Council Members, Resolution No. 37126-071805 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Lea, McDaniel and Vice-Mayor Fitzpatrick-----5.

NAYS: None-----0.

(Mayor Harris was absent and Council Member Wishneff was not present when the vote was recorded.)

PURCHASE/SALE OF PROPERTY-CITY PROPERTY-WATER RESOURCES:
Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, July 18, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the proposed conveyance of a 1.2508 acre portion of City-owned property located on Carroll Avenue, N. W., to the Western Virginia Water Authority, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, July 11, 2005.

The City Manager submitted a communication advising that the City of Roanoke owns property located on Carroll Avenue, N. W., that was previously held by the Water Department which contains a two-million gallon water storage tank; and the parcel of land was inadvertently omitted from the initial transfer of property to the Western Virginia Water Authority, therefore, the City wishes to convey the land to the Water Authority.

The City Manager recommended that she be authorized to execute the necessary documents to convey the property to the Western Virginia Water Authority for a nominal consideration, subject to approval as to form by the City Attorney.

Council Member Cutler offered the following ordinance:

(#37127-071805) AN ORDINANCE authorizing the City Manager to execute the necessary documents to convey City-owned property housing a water storage tank, located on Carroll Avenue, consisting of 1.2508 acre and identified as Official Tax No. 2340106, to the Western Virginia Water Authority, upon certain terms and conditions, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 509.)

Council Member Cutler moved the adoption of Ordinance No. 37127-071805. The motion was seconded by Council Member McDaniel.

The Vice-Mayor inquired if there were persons present who would like to speak in connection with the matter. There being none, he declared the public hearing closed.

There being no questions or comments by Council Members, Ordinance No. 37127-071805 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Lea, McDaniel and Vice-Mayor Fitzpatrick-----5.

NAYS: None-----0.

(Mayor Harris was absent and Council Member Wishneff was not present when the vote was recorded.)

CITY PROPERTY-ROANOKE CIVIC CENTER-LEASES: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, July 18, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the proposed lease of a portion of City-owned property located at the Roanoke Civic Center to Roanoke Sports Group, LLC, for use as office space as part of the terms of a License Agreement for operation of a hockey team, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, July 8, 2005.

The City Manager submitted a communication advising that on February 25, 2005, the United Hockey League (UHL) announced that the League's Board of Governors had granted approval to Ken and Kristen Dixon to bring their hockey team to Roanoke; a Limited Liability Corporation, Roanoke Sports Group, doing business as the Roanoke Valley Vipers was formed; 15 teams participate in the League which is in its 15th season; and the team will play 38 home games.

It was further advised that the initial term of the License Agreement is for three years, with an additional two-year term upon mutual agreement between Roanoke Sports Group, LLC, and the City of Roanoke; the new team will replace the now defunct Roanoke Express (formerly Valley Rampage, Valley Rebels, and Virginia Lancers) of the East Coast Hockey League that occupied the Roanoke Civic Center Coliseum from 1988 until 2004; owners of the team have the financial resources to bring hockey back to Roanoke, with experience in the sport and as business owners; and the owners anticipate generating revenue in excess of \$200,000.00 by creating special incentives to increase attendance.

It was explained that after thorough research and careful consideration, it has been determined that the League's reputation, the owner's financial status and sports experience, along with the owner's business backgrounds would be an asset to the Roanoke Valley; a license agreement to benefit both parties was collaborated; entering into the proposed Agreement with Roanoke Sports Group, LLC, would further enable the City to achieve its goals of promoting quality events that can be enjoyed by the entire family and all age groups and increasing revenue for the City of Roanoke and the Roanoke Civic Center; the Agreement would be for a period of three years, with a two-year option to extend; the season would run from October to April; specific dates for the 2005-2006 hockey season were finalized at the end of June; and the City will convey 736 square feet of office space to the Roanoke Sports Group, LLC, as part of the terms and duration of the license agreement.

The City Manager recommended that she be authorized to execute a License Agreement between the City of Roanoke and Roanoke Sports Group, LLC; subject to approval as to form by the City Attorney; and to execute any other documents as may be necessary to implement and administer the Agreement, including exercising an option to extend the Agreement.

Council Member McDaniel offered the following ordinance:

(#37128-071805) AN ORDINANCE authorizing the City Manager to enter into a License Agreement between the City of Roanoke and Roanoke Sports Group, LLC, for an initial term of three years, with an additional two year term upon mutual agreement of the parties, which will provide for use of the Civic Center Coliseum and certain related facilities by Roanoke Sports Group, LLC, to provide a certain number of United Hockey League ("UHL") games in the coliseum and to provide certain office space and other space to Roanoke Sports Group, LLC for use during the term of the License Agreement; authorizing the City Manager to take such further action and execute such documents as may be reasonably necessary to provide for the implementation and administration of the License Agreement upon certain terms and conditions; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 69, Page 510.)

Council Member McDaniel moved the adoption of Ordinance No. 37128-071805. The motion was seconded by Council Member Dowe.

The Vice-Mayor inquired if there were persons present who would like to speak in connection with the matter. There being none, he declared the public hearing closed.

There being no questions or comments by Council Members, Ordinance No. 37128-071805 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Lea, McDaniel and Vice-Mayor Fitzpatrick-----5.

NAYS: None-----0.

(Mayor Harris was absent and Council Member Wishneff was not present when the vote was recorded.)

Council Member Wishneff entered the meeting.

HUMAN DEVELOPMENT-GRANTS: Council at its 2:00 p.m. session having tabled action on a resolution regarding the Workforce Investment Act Agreement with the Virginia Employment Commission for Program Year 2006, pending a response by the City Attorney and the City Manager in connection with questions/concerns raised by Council Member Lea, the matter was before the body.

The City Attorney referred to a Charter that was adopted in 2003 by all participating localities in the Western Virginia Workforce Board, pursuant to the Workforce Investment Act, which created a chief local elected officials organization or consortium; Council authorized the Mayor to execute the Charter in July 2003, and the Charter has not been amended and continues to be in effect. He stated that the Charter was entered into by and between the jurisdictions of the City of Covington, City of Roanoke, City of Salem, Alleghany County, Botetourt County, Craig County, Franklin County and Roanoke County and charges the chief elected officials of each of the above referenced localities, being either the Chairperson of the Board of Supervisors or the Mayor of the Cities, to constitute themselves as the chief local elected officials consortium; and the consortium was given the authority to appoint the local Workforce Investment Board. He noted that the Charter also provides that these actions can either be taken by the chief elected official or his or her designee; and all jurisdictions appointed designees to the consortium to act in their place; pursuant to the agreement, the consortium designated the City of Roanoke to serve as grant recipient, and the Workforce Development Board, which is appointed by the consortium, acts as fiscal agent for all Title I funds that are funneled through the entity.

The City Attorney stated that Council Member Lea inquired as to what, if any, liability the City of Roanoke might incur by participating in the consortium; whereupon, he advised that the agreement states that any financial or legal liability of the consortium shall be shared on a pro rata basis by population of member jurisdictions based on the latest census, therefore, any liability would be shared on a per capita basis.

The City Manager advised that some time ago, a decision was made collectively by Chief Elected Officials to appoint their Chief Appointed Official to the consortium; the City Manager and County Administrator of each of the jurisdictions above named by the City Attorney became the CLEO, which appoints the Workforce Development Board; and the Board previously consisted of a group of 40 persons which has now been pared down to 15, and represents persons who previously served on the larger board. She advised that the agreement also refers to specific roles of the CLEO; i.e.: appointment of all members to the Workforce Development Board, development of by-laws through designation of a grant recipient, a fiscal agent to receive funds, account for funds, ensure appropriate auditing, approve the source budget, develop a five year plan, negotiate performance standards, appoint the youth council, designate or certify local one stop operators, and conduct oversight.

The City Manager suggested that she, as the City of Roanoke's representative to the Chief Local Elected Official (CLEO) group, be directed by the Council to take Council Member Lea's concerns to the full CLEO Board at its next meeting. As the new Chair of CLEO, she advised that one of the first orders of business will be an understanding of the process for appointing boards in the future.

Council Member Lea made the observation that TAP plans to appeal the decision to remove its representative from the Workforce Development Board; whereupon, he inquired as to the appropriate entity to hear the appeal.

The City Attorney responded that after reviewing the Charter, it would appear that the appeals process would be addressed by the CLEO group.

The Director of Finance advised that because the City of Roanoke serves as grantee, even though the City has a fiscal agency relationship with the Workforce Development Board, the City is fully responsible for the funds to the State; and as such, the City is required to have the funds audited by external auditors according to Federal audit guidelines and included in the City's annual financial report.

The Vice-Mayor requested a clarification of the City Manager's recommendation; whereupon, she advised that funds for Workforce Development activities come to the City of Roanoke through the State office of the Virginia Employment Commission; in order for the City to receive the funds on behalf of the region, the City of Roanoke must agree on an annual basis to serve as grant recipient, which is the item under consideration by the Council; assuming that the Council acknowledges to the State that the City will continue to serve as grant recipient, an ordinance will be submitted for consideration by Council at its next meeting which will enable the State to forward funds to the City for distribution. If such action is not approved by the Council, Workforce Investment funds will not come to the region; therefore, the City Manager recommended that Council take affirmative action.

Following further discussion with regard to the City's status as grant recipient and composition of the Workforce Development Board, Council Member Cutler moved that the resolution be removed from the table. The motion was seconded by Council Member Dowe.

Council Member Lea inquired as to the status of his motion, seconded by Council Member Dowe, that a Total Action Against Poverty representative be reinstated to the Workforce Development Board and that a diverse Board be appointed.

Upon a roll call vote, the motion was lost by the following vote:

AYES: Council Members Wishneff, Dowe and Lea-----3.

NAYS: Council Members Cutler, McDaniel and Vice-Mayor Fitzpatrick ----3.

Council Member Wishneff inquired if the City of Roanoke could withdraw from the regional board and receive its proportionate share of funds directly from the State; whereupon, the City Attorney advised that he would review Federal guidelines relating to receipt of funds.

Following further discussion, it was the consensus of Council that the Mayor would draft a communication to the Workforce Development Board stating concerns expressed by Council regarding Board membership diversity.

Council Member McDaniel reoffered the following resolution:

(#37129-071805) A RESOLUTION authorizing the City Manager to execute the Grant Agreement with the Virginia Employment Commission for Program Year 2006 in order for the City to continue as the grant recipient of funding for the Workforce Investment Act for Area 3.

(For full text of Resolution, see Resolution Book No. 69, Page 511.)

Council Member McDaniel moved the adoption of Resolution No. 37129-071805. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, McDaniel and Vice-Mayor Fitzpatrick-----5.

NAYS: Council Member Lea-----1.

(Mayor Harris was absent.)

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Vice-Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, recommendation or report to Council.

COMPLAINTS-TOTAL ACTION AGAINST POVERTY: Mr. Robert E. Gravely, 727 29th Street, N. W., advised that a communication should be forwarded to the Work Force Development Board instructing the Board to reinstate a Total Action Against Poverty representative. He spoke with regard to the need to attract more persons to the Roanoke area by creating additional avenues of opportunity, better and more affordable entertainment venues, and living conditions that are more conducive to the income level of the average citizen.

There being no further business, the Vice-Mayor declared the meeting adjourned at 8:00 p.m.

A P P R O V E D

ATTEST:

Mary F. Parker
City Clerk

C. Nelson Harris
Mayor

ROANOKE CITY COUNCIL

August 1, 2005

9:00 a.m.

The Council of the City of Roanoke met in regular session on Monday, August 1, 2005, at 9:00 a.m., in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor C. Nelson Harris presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 37109-070505 adopted by the Council on Tuesday, July 5, 2005.

PRESENT: Council Members M. Rupert Cutler, Alfred T. Dowe, Jr., (arrived late), Beverly T. Fitzpatrick, Jr., Sherman P. Lea, Brenda L. McDaniel, Brian J. Wishneff and Mayor C. Nelson Harris-----7.

ABSENT: None-----0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

COMMITTEES-CITY COUNCIL: A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Council Member Cutler moved that Council concur in the request of the Mayor to convene in Closed Meeting as above described. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was not present when the vote was recorded.)

CITY COUNCIL: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended, was before the body.

Vice-Mayor Fitzpatrick moved that Council concur in the request of the City Manager to convene in Closed Meeting as above described. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was not present when the vote was recorded.)

CITY COUNCIL: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended, was before the body.

Vice-Mayor Fitzpatrick moved that Council concur in the request of the City Manager to convene in Closed Meeting as above described. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was not present when the vote was recorded.)

CITY COUNCIL: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended, was before the body.

Council Member Cutler moved that Council concur in the request of the City Manager to convene in Closed Meeting as above described. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was not present when the vote was recorded.)

ITEMS LISTED ON THE 2:00 P. M., COUNCIL DOCKET REQUIRING DISCUSSION/CLARIFICATION, AND ADDITIONS/DELETIONS TO THE 2:00 P. M., AGENDA:

Council Member Cutler referred to item 6.a.2. on the printed agenda with regard to acceptance of the Urban and Community Forestry Grant. He pointed out that this is the last year the City of Roanoke will receive the grant; whereupon, he inquired if there were plans to continue an urban forestry program in the absence of State funds in fiscal year 2007. The City Manager responded that the need for the position will be prioritized along with other requests for funding during the upcoming budget process.

Council Member Cutler also referred to item 6.a.7. with regard to the 2005-2006 CDBG Subgrant Agreement with C2C Home and inquired as to how the \$100,000.00 grant would be used; whereupon, the City Manager stated that the allotment will be directed exclusively toward acquisition of property and construction of homes; a number of properties have been identified for purchase and construction of new homes; and the first \$100,000.00 would be spent primarily on administrative activities to accomplish design competition.

TOPICS FOR DISCUSSION BY THE MAYOR AND MEMBERS OF COUNCIL:

Mayor Harris advised that at the last meeting of Council on Monday, July 18, 2005, Council adopted Resolution No. 37129-071805 which authorized execution of the Workforce Investment Act Agreement with the Virginia Employment Commission for Program Year 2006; however, at the 2:00 p.m. Council Session, it will be necessary for the Council to adopt a revised resolution changing the reference to Program Year 2005 in order to appropriate funds on a fiscal year basis.

Council Member Dowe entered the meeting.

Mayor Harris announced that Council is scheduled to hold a joint meeting with the Roanoke City School Board on Monday, August 15, 2005, at 12:00 p.m., in the Cafetorium of the Roanoke Academy for Mathematics and Science, 1616 19th Street, N. W., and any agenda items should be submitted to the City Clerk.

Council Member Cutler asked that an item be included on the agenda with regard to school capital construction plans for the next two years.

Council Member Wishneff requested a report on the status of school safety.

The City Manager advised that a van would be available to transport the Members of Council and staff to the meeting location.

R. Brian Townsend, Acting Director of Economic Development, introduced L. Elizabeth McCoury, Administrator for the Department of Economic Development, who assumed her position on August 1, 2005. He advised that Ms. McCoury previously served as Downtown Development Director for the City of Suffolk for the past seven years, and she previously held Economic Development positions in the City of Portsmouth.

BRIEFINGS:

CITY MARKET: The City Manager advised that a consultant was selected to study the City Market area, including the City Market Building, in connection with further development/redevelopment of the downtown area.

Mr. Townsend introduced Tom Low, a consultant with the firm of Duany Plater-Zyberk and Company (DPZ), Architects and Town Planners, a national firm of urban design and urban planning. He stated that Mr. Low is a native of Roanoke who works out of the Charlotte office, and will work with the local firm of SFCS, Inc.

Mr. Low presented the following introductory briefing:

- The team consists of SFCS of Roanoke and DPZ, which has offices in Atlanta, Charlotte and Washington, D. C., as well as an international division.
- DPZ is especially known for the revival of traditional towns and traditional neighborhoods as a model for creating community.
- The market area has always been the heart and soul of Roanoke. He referred to a photograph showing the original market square, Campbell Avenue, Jefferson Street and the old train station.
- As the City grew with housing and mixed uses, things began to change, but the idea that the Market area was the center of the City and the region has remained evident, and the idea of a town square resonates with everyone.
- John Nolan, an early 20th century planner, prepared two comprehensive plans for Roanoke in 1907 and 1928, and a review of the diagrams, charts, comprehensive plans and master plan drawings depict some interesting things that bring Roanoke forward as a functional and beautiful City; i.e.: a chart of schools and parks that are focused around ten minute walking bubbles, and although it was an era that the motor vehicle was being accommodated, the car was not the number one driving force on how people lived.

- Today, people have embraced suburban living, but are discovering that it is not perfect, and a lot of people have refocused on more traditional neighborhoods.
- Some interesting statistics that may have a strong impact on Roanoke are that the baby boomers are starting to retire; statistics in 2008 indicate that somewhere between 57-68 million baby boomers will start retiring across the country; a national *USA Today* survey asked where they wanted to retire, and the response was that they did not want to retire in isolated, restricted retirement communities, but in walkable, compact, convenient neighborhoods in town; and the other large group of people between 25-55 years of age, sometimes referred to as the creative class, which represent the future want to avoid those areas that are considered “uncool” and boring such as the suburbs, and instead focus on lively, active places where things are happening; and downtown Roanoke and the surrounding neighborhoods bring that type of character.
- The merger of those two large groups over the next five to ten years will cause a lot of energy to be focused on the center part of the City of Roanoke.
- Roanoke’s neighborhoods are compact and walkable, with schools, neighborhood shopping, businesses, civic uses, churches, and other imbedded institutions; streets are connected and easy to move around, and there is a range of choices and housing lifestyles from urban to more private.
- Many of Roanoke’s neighborhoods have been rediscovered, people are building on neighborhood traditions; the most important and exciting opportunity is to look at downtown Roanoke as a neighborhood, one where people can live, work, shop and play; and as the City moves forward, it must keep all those things in mind because the sum of those activities is greater than any one component.
- An aerial view photograph from the 1928 report prepared by John Nolan shows the concentration of buildings and all useable space was filled in with buildings, businesses and residences.

- In the 1950's, the area was still thriving, but in the 1970's, things started to decline when people started to embrace the automobile, buildings started to come down, open parking lots became the norm, the concept of a "city square" started to erode; people began to frequent shopping malls and missed out on what many generations of Roanokers believed to be a wonderful downtown experience.
- Design '79 workshops and master plan work was an effort to bring back that type of experience; the images Timm Jamieson developed at that time were amazing, and he utilized the services of Charles Moore, a brilliant and creative architect and planner, who knew instinctively that there was a need to resuscitate the area in a way that actually filled in the private spaces and reactivated the public spaces, and parking lots became urban housing which accommodated the car but did not allow it to dominate the way people lived.
- Over 50 small components that were a part of the Design '79 plan were implemented.
- Shopper trends change about every five to ten years, and many of the things that were popular in the 1970's and 1980's now need to be updated.
- Ideas like reviving Elmwood Park with outdoor concerts and Festival in the Park, old empty lots turned into beautiful pocket parks, old buildings that have been restored for urban shopping, Center in the Square, parking garages, farming vendors, competing with suburban malls with a food court, good restaurants, bringing in nationally known tenants to mix with the locals, and celebrations associated with downtown, will be focused on as a part of the study.

Council Member Dowe inquired about the integration of nationally known tenants with local tenants and whether, from a historical perspective, that type of mixing had formed some type of bond in other localities. Mr. Low advised that his firm brings expertise in terms of understanding how other places have been successful; and the Roanoke area is unique because it has three key urban elements from a physical point of view --a Market Building, a Market Square, and a Market Street, with indoor rooms, outdoor rooms and other connections.

Council Member Cutler stated that larger franchises tend to swallow up the "mom and pop" operations; whereupon, Mr. Low stated that Roanoke has a legacy of home grown shops which reinforce the local concept. He further stated that the consultant would study three main issues: the City Market Building, infrastructure for the entire Market area, and the Century Station Parking Deck, which was originally planned to accommodate additional development on top and

the ground floor is programmed as a shell for shopping, retail or commercial, or a similar type of use. He advised that the study would be performed within the framework of reinforcing the idea of the Market being the center of downtown, but also a lively neighborhood, creating places for parks, reinforcing people places such as dining and meeting facilities, and the cultural arts, etc. He explained that his firm is well known for using a process known as "charrette"; the Design '79 workshop was a charrette which is an on-site hands-on interactive design workshop; and the first charrette is scheduled to be held on October 3-7, at a central location. He presented a copy of the draft charrette schedule and noted that activities will be held where designers and creative people will draw concepts based on input from attendees, a series of focus group meetings will be held with key players, including one-on-one meetings as needed; three public pin-up sessions will be held on a Monday, a Wednesday and a Friday, after which it is hoped to gain a good understanding of where the process is headed, and after all ideas have been gathered through the course of the week, the information will be compiled and the consultant would return to Roanoke a few weeks later for another workshop prior to finalizing the report. He stated that key people to be interviewed include Market Building tenants, downtown retailers, Farmers Market vendors, downtown property owners, both commercial and residential, as well as public works/public safety representatives, including police, fire and transportation; and it is hoped that the opening session will include the Members of City Council, Architectural Review Board, City Planning Commission, Industrial Development Authority, etc. He presented Council with an outline of the study process which will be adjusted over the next several weeks as necessary.

The City Manager advised that the schedule would need some adjustment to accommodate evening sessions and a Saturday session that would afford the opportunity to participate by those persons who might not otherwise be able to fit the activity into their work schedule. She requested input by Council on the best time of day to hold the first meeting on October 3, and stressed the importance of soliciting input early in the process from elected officials and certain of the City's representatives to boards and commissions.

Council Member Cutler stated that any renovation(s) to the City Market area should be both wheelchair and stroller friendly.

Council Member Dowe stated that he would be particularly interested in knowing how the study could: (1) gage a balance between making the Market Square pedestrian friendly, while allowing automobiles and emergency service vehicles; and (2) gage the needs of future generations of Market customers such as internet cafés as opposed to areas in which to purchase fresh produce. Using the City of Charlottesville as an example, he advised that cobblestones were discovered underneath the pavement.

Mr. Low stated that old rail lines currently exist under the pavement on the City Market. He added that cobblestones, etc., are a valuable commodity and priorities will be defined regarding these types of issues.

Council Member Wishneff stated that pavement was removed in downtown Orlando, Florida, to expose solid brick, and agreed that the City of Roanoke should determine what materials, if any, exist under current paved areas on the City Market. He suggested that the City hold more outside activities on the Market Square similar to the Host City Night that the City of Roanoke has sponsored on several occasions when the Virginia Municipal League holds its Annual Conference; and something should be done to improve City Market stalls and to offer incentives that attract more farmers to the City Market area. He referred to previous discussions regarding the feasibility of establishing a cultural district with appropriate signage and inquired as to how the cultural district could be incorporated into the Market study. He asked that the consultant provide recommendation(s) on various options for the City Market Building that may or may not fund themselves, and suggested that the issue of one way traffic on Campbell Avenue be reviewed to determine if the traffic pattern has been of benefit to the Market area.

Vice-Mayor Fitzpatrick encouraged the Members of Council to engage in one-on-one discussions with the consultant regarding the dynamics of Design '79 and to provide insight with regard to numerous issues that have taken place as a result of Design '79.

Council Member Cutler expressed the following interests: (1) the possibility of extending the study area north of the railroad tracks to encompass the O. Winston Link Museum, The Hotel Roanoke, the Roanoke Higher Education Center, and the Dumas Hotel and (2) the source of the Market's fresh produce. He called attention to a personal interest in agriculture and the preservation of farm land, and in much the same way that the City and now the Western Virginia Water Authority are working with farmers and other land owners along the watersheds of water supply creeks to encourage them to donate conservation easements to protect the water quality along the streams, the same kind of approach could be used with farmers within short distances of the Roanoke area to offer incentives to stay in farming; i.e.: working with the land trusts of state and federal agencies to provide economic incentives and conservation easements to perpetuate farm land and orchards. He stated that this might be an opportunity for some type of regional cooperation with adjoining more rural counties and should remain on the City's radar screen. He stated that at a recent public hearing on the City's new Zoning Ordinance, a number of persons expressed an interest in offering vacant lots and private spaces in the City for the purpose of growing vegetables and suggested that the City support the concept.

Council Member McDaniel inquired if the consultant could offer an opportunity for input from those persons who have an interest in the City Market, but do not routinely visit the area; whereupon, Mr. Low stated that the consulting team would conduct a walking tour of the Market area at the beginning of the charrette that could include those persons.

The Mayor expressed appreciation to Mr. Low for meeting with the Council. He advised that Council Members would welcome the opportunity to either individually, or in pairs, meet with the consultants to discuss development of a plan of action, or a vision, that could be taken to the private sector in an effort to generate public/private cooperation that could lead to re-energizing the Jefferson Street and City Market areas.

The City Manager advised that she was recently approached by several key property owners in downtown Roanoke who expressed an interest in discussing a greater vision for the area, and she recently met with two representatives of national development firms that recognize the characteristics that were previously discussed – the younger creative generation and the older population who are looking for livable, walkable places to reside. She stated that the study was occurring at the right time, and she looked forward to working with the consulting team.

Virginia First Cities Update:

The City Manager called on Neal Barber, Executive Director, Virginia First Cities, for an update on important issues that will be a part of the gubernatorial campaign and the 2006 Session of the Virginia General Assembly. She stated that the information could be used as part of the foundation for development of the City's legislative program

Mr. Barber stated that he would discuss two primary issues: (1) the recent Supreme Court decision of *Kelo v. City of New London* and the impact the decision will have on the General Assembly; and (2) real property tax relief, the impact on local government and alternatives that may exist.

- Eminent Domain – Economic Development as a public use:

He stated that on June 23, 2005, the Supreme Court ruled in favor of *Kelo v. New London, Connecticut*, No. 04-108, and determined that economic development was a valid public purpose with regard to interpreting "public use" in eminent domain cases. He noted that the U. S. Constitution and State Constitution use the term "public use", and the Supreme Court gave deference to the State of Connecticut in its legislative determination and definition of "public purpose" and relied on the precedent that "embraced the broader and more natural interpretation of public use as 'public purpose'"; and the Majority Opinion of the Supreme Court relied heavily upon two previous court decisions: *Hawaii Housing Authority v. Midkiff*, 467 U. S. 229 (1984), and *Berman v. Parker*, 348 U. S. 26 (1954), in determining that economic development is a legitimate public purpose and thus could come under the purview of public use as it relates to condemnation. He stated that the Supreme Court also determined that the local government should not and could not take private property from one private

entity for the sole use of another private entity, which is consistent with the Virginia Constitution in judicial finding; and, in addition, property that exists in a blighted area, even though the property itself is not blighted, can be a subject of condemnation as a part of relieving blight in an entire neighborhood. He called attention to the Dissenting Opinion of Justices O'Connor, Scalia and Thomas that the ruling of the majority extended the right of condemnation beyond what was considered in the two opinions and identified three primary public purposes for condemnation: (1) typical public use, (2) utilities such as power and rail, etc., and (3) takings where the extraordinary, precondemnation use of the targeted property inflicted affirmative harm on society. It was also noted that the private benefit should be incidental or secondary to the primary public purpose, states may adopt stricter standards than those of the Federal government, and there should be additional review or scrutiny for economic development purposes.

Mr. Barber stated that Virginia Constitutional provisions are similar to Federal Constitutional provisions; Article I, Section 11, has added provisions to provide that public use shall be defined by the General Assembly, by enacting Section 15.2-1900, Code of Virginia, which basically states that any legitimate public purpose shall be considered to be public use as related to constitutional provisions; Virginia court provisions, or Virginia case law, states that the determination of public purpose is related to public use subject to judicial review; and Virginia case law has supported that economic development is a valid public purpose. He noted that *Charlottesville v. DeHaan*, 228 Va. 578, 323 S.E.2d 131, (1984), was not related to a condemnation case, but provided that economic development was a valid public purpose; and primary takings have served reciprocal public purposes.

Mr. Barber stated that The Virginia Association of Housing and Redevelopment Officials surveyed all 30 housing authorities across the Commonwealth of Virginia for the years of 2002, 2003 and 2004; all of the housing authorities acquired 400 properties, of which 19 were acquired through condemnation; of the 19 properties, only five properties were contested condemnations. He stated that his point was intended to show that condemnation is rarely used by local governments; and a rigorous process must be used to exercise the power of condemnation.

Mr. Barber noted that there will be significant legislation making modifications to condemnation statutes since there is considerable interest among legislators to redefine or to narrow the definition; there will be a bipartisan effort to introduce new bills; the Virginia Housing Commission has stated that it would prefer to be proactive and draft a consensus piece of legislation; and Virginia First Cities is working with the Virginia Association of Counties, the Virginia Municipal League, and the Virginia Association of Housing and Community Development to prepare legislation that would codify current statutes and case law into a legislative enactment that would represent the current status of Virginia's condemnation laws.

Mr. Barber stated that Virginia First Cities does not support taking property from one individual and giving it to another individual without some underlying public purpose; however, First Cities does support promoting the health, safety and welfare of Virginia cities and the viable economic health of communities. In particular, he advised that the Virginia First Cities would like to preserve the ability to remove blight and reclaim vacant properties.

- Tax Reform:

Mr. Barber presented copy of a draft preliminary Policy Statement from Virginia First Cities on tax reform, which may be available for consideration at the next meeting of the Executive Committee. He referred to the two Virginia gubernatorial candidates and stated that Candidate Timothy M. Kaine has suggested that there be a 20 per cent "homestead exemption" for home owners which would be a local option up to a 20 per cent limit, and would not require a Constitutional amendment and, if enacted, would take effect in 2009; and Candidate Jerry W. Kilgore has suggested lowering property taxes, with a five per cent cap on tax assessment increases annually until the property is sold or renovated which would not require a Constitutional amendment.

As background, he noted that nationally, real property assessments have increased by approximately 15 per cent which varies across the Commonwealth of Virginia, real property revenue growth has increased by about six per cent; however, in localities represented by Virginia First Cities, growth has been about four per cent per year on average, or about two per cent less than the statewide average annual growth. He noted that over the last few years, coming out of the recession, there has been a robust real estate market, but a leveling down is anticipated over a period of years. He further noted that under the Kaine proposal, using a worst case scenario, local governments statewide would take about a 20 per cent residential real estate hit which would result in about \$1 billion of lost revenue; for Virginia First Cities localities, it would represent about a \$134 million loss, and for the City of Roanoke, it would represent about a \$10.5 million loss. Under the Kilgore proposal, he stated that statewide, it would represent an \$80 million loss; for Virginia First Cities localities, it would represent a \$8.6 million loss; and for the City of Roanoke, it would represent a \$640,000.00 loss, assuming a one per cent hold on revenue. He stated that the result would be the loss of the tax base for generating revenue, and options include an increase in the tax rate, a shift to other types of taxes or user fees and charges, or a shift to greater reliance on the State for local revenue.

Mr. Barber called attention to inequities in both proposals, i.e.: the Kaine proposal would reduce the real estate assessment on homeowners, which would shift the burden to commercial and rental properties, and owners with higher value properties would receive the greatest benefit; and the Kilgore proposal would benefit the home owner who has lived on the property longer than the home owner who recently purchased the property. He advised that an alternative to the Kaine proposal would be to cap the amount of exemption for an individual home; and an alternative to the Kilgore proposal would be to allow all classes of real property to receive the tax exemptions, rather than residential property only.

He stated that the preferred alternative is called the “circuit breaker approach”, which provides an opportunity to give real property tax relief through a refundable income tax credit, which can be targeted to those persons who are the most in need, and limit the impact on the State budget which can be done without going through the Constitutional amendment process. He advised that State tax reform that would provide other revenue opportunities that could reduce local government’s reliance on the real estate tax would be preferred by Virginia First Cities.

Mr. Barber called for questions/comments by Council Members:

Council Member Cutler inquired as to whether Mr. Barber would be the legislative agent to make a presentation to the General Assembly; whereupon, he advised that he would represent localities at the Virginia General Assembly, along with a lobbyist who is a governmental relations consultant.

The City Manager stated that the first position of Virginia First Cities is that the State should not interfere with local taxation, which is also the position that the Council has consistently taken, and if the State wishes to dictate policy, it should not be a local policy for local taxation.

Mr. Barber stated that the distinction between tax sources dates back to 1926 when an agreement was made that income tax would be reserved for State support and real estate property taxes would be reserved for localities, therefore, the proposal violates a long-standing agreement.

The Director of Finance stated that he serves on the Virginia Municipal League Finance Policy Committee, and advised that the Virginia First Cities recommendation would also be the VML and VACO policy on the issue and would be lobbied by representatives of both organizations.

Vice-Mayor Fitzpatrick expressed appreciation to Mr. Barber for his insight on the issue and suggested alternatives. He stated that the City of Roanoke continues to receive benefits from its involvement with Virginia First Cities.

The City Manager advised that in the last gubernatorial race, representatives of Virginia First Cities asked candidates to state their position on development of an urban policy for the Commonwealth of Virginia, because urban areas like Roanoke are significantly disadvantaged in many ways by funding formulas, as well as the challenges that face disadvantaged communities; and the current Governor expressed a willingness to develop an urban policy and subsequently, approximately two years into his administration, created an Urban Policy Task Force to encourage the Governor to administratively enact those measures that were included in a series of recommendations by the Task Force. She further stated that the way in which candidates react to pertinent issues should be important to all voters; and Virginia First Cities should not actually endorse a candidate, but the Coalition could and should make it known which candidates are willing to position themselves to help.

Vice-Mayor Fitzpatrick called attention to a third gubernatorial candidate, Russell Potts, who has suggested an urban policy and expressed opposition to current tax proposals. He stated that Mr. Potts has made other policy statements that are consistent with some of the City's interests.

Council Member Wishneff stated that the Virginia General Assembly would address the Federal land issue policy; the Commonwealth of Virginia is unique with independent cities; pursuant to a vote of Council, the City of Charlotte, North Carolina, annexed property next door, the City of Norfolk's boundaries have been established since 1964 and the City of Roanoke's boundaries have been in place for 30 years, and there does not appear to be a rush to change anything, but someone needs to speak up. He added that if the General Assembly would like to give back to the City of Roanoke its powers of annexation, the City would be most happy to comply. He noted that some Virginia cities contain over 300 square miles, the City of Roanoke has only 42 square miles, therefore, State legislators should be mindful of Virginia's major cities.

Mr. Barber noted that the future is in the redevelopment of cities.

Upon question, Mr. Barber explained that the Kaine proposal would be a local option, and the Kilgore proposal would not be a local option, with a cap statewide.

The City Manager stated that the matter was larger than the gubernatorial issue because for the last several years members of the General Assembly have tried unsuccessfully to be involved in local real estate taxation; and there was a discussion at the last meeting of the Executive Committee of Virginia First Cities regarding long term implications, and the need for cities to educate the citizenry in order to appreciate and understand the implications. She stated that it is unfortunate that the issues are not state wide issues that gubernatorial candidates could campaign on, but they demand responsibility and accountability for members of the General Assembly.

Youth Commission Update:

Marion Vaughn-Howard, Superintendent, Youth Services, introduced Kellie Reynolds, a second year Youth Services worker, who read a prepared statement regarding why she thinks the City of Roanoke is one of the best places to raise children. Members of the Youth Group participated in a power point presentation regarding the Youth Services Division, Past, Present and Future, and invited the Members of Council to join them on August 30, 2005, at 5:30 p.m. to celebrate the grand opening of the Preston Center.

Council Member Dowe expressed appreciation to Ms. Vaughn-Howard and members of the Youth Commission for their work, and advised that he looked forward to receiving the Youth Comprehensive Plan.

Council Member Lea commended the Youth Commission on its contributions to the Summer Food Service Program and the Youth Academy.

Council Member Cutler expressed appreciation to the Youth Group and requested that Ms. Vaughn-Howard describe the goal of the Youth Comprehensive Plan; whereupon, she advised that it is hoped that the Youth Comprehensive Plan will become a part of the City's overall Comprehensive Plan; and the Youth Comprehensive Plan will provide a snapshot of what the community could do to continue to embrace the needs of youth, and to implement and fund one part of the recommendation(s) each year, with measurable outcomes.

Parking Update:

Deborah J. Moses, Parking Coordinator, presented the following parking overview:

Parking Garage & Surface Parking Facilities, August 1, 2005

Economic Development

Parking is the glue that holds a downtown together (offices, retail, entertainment, housing and higher education)

City Parking Map

3,837 off-street parking spaces in six decks and six surface lots

670 free downtown on-street parking spaces

80 free downtown loading zones

Garage and Surface Lot Occupancy Report

No.	Location	Actual Spaces	Daily Spaces	Monthly Total Spaces	Monthly Parkers	Percentage Occupancy
002	Church Avenue Parking Garage					
	Total	857	61	973	973	120.70%
003	Century Station Parking Garage					
	Total	468	27	452	419	95.30%
004	Gainsboro Parking Garage					
	Total	358	20	372	240	72.60%
005	Market Square Parking Garage					
	Total	203	25	195	170	96.10%
006	Tower Parking Garage					
	Total	691	106	670	576	98.70%

007	Williamson Road Parking Garage					
	Total	676	0	750	729	107.80%
008	Gainsboro Surface Lot					
	Total	101	30	78	40	69.30%
009	Salem Avenue Surface Lot					
	Total	35	0	35	35	100.00%
010	Viaduct Surface Lot					
	Total	103	50	58	29	76.70%
11	Williamson Road Surface Lot					
	Total	123	0	135	132	107.30%
12	Nickel Surface Lot					
	Total	50	0	50	50	100.00%
13	Bullitt Avenue Surface Lot					
	Total	172	0	189	169	98.30%
	GRAND TOTALS	3,837	319	3,957	3,562	101.10%

Parking Rates

Garage Pricing:

Reserved Monthly Parking - \$85.00

Non-Reserved Monthly Parking - \$65.00 and \$35.00

Daily Parking - \$0.75 per one-half hour

Daily Maximum - \$5.00 and \$4.00

Surface Lot Pricing:

Monthly Parking - \$55.00

Daily Parking - \$0.50 - \$0.75 per one-half hour

Daily Maximum - \$5.00 and \$4.00

Discount Parking Programs:

Lunch Time Special - \$1.00

Discounted Merchant Validations - 10 per cent

Monthly Parking Discounts for many employers

FREE - Evening, Weekend and Residential Parking

City Discount Parking

Total Discounted Parkers	1658	\$339,056.40
Resident Parkers	123	\$64,620.00
City Guest Validations		\$20,621.25
GRAND TOTAL		\$424,297.65

Operational Discussion

Management Structure - National Parking manages and operates facilities

Customer Service - Strong customer service

Maintenance and Cleanliness - Preventative maintenance and repair

Equipment and Technology - Online accounts receivable, customer base

Accomplishments - Customer service improvements, training of personnel, improved signage and better location of signage

City of Roanoke Parking – Different from Local Competition

Locations:

City has 30 per cent of the off-street locations in downtown and provides 78 per cent of the off-street spaces

City provides 100 per cent of all on-street spaces

Rates – Comparable locations:

Daily rates are less than major competitors per one-half hour

Monthly rates are less than major competitors

Customer Base:

2,920 monthly parkers (82 per cent) – 111 Business Accounts
57 per cent of all Business Accounts receive discounted rates
18 per cent Individual monthly parkers
19 per cent of Individual monthly parkers receive free residential parking

FREE Evening, Weekend and Daily Parking

FREE Event and Shuttle Parking

Parking Fund Budget

Parking Fund is an Enterprise Fund

Revenues are generated from parking fees, rental space/ground space leases, special event rentals

Budget provides for all operating costs and debt service

Any retained earnings remain in the Fund

Parking Fund FY06 Budget	
Revenues	\$ 2,720,000.00
Expenses	
Operating	\$ 1,465,665.00
Principal and Interest Expense	\$ 947,958.00
Reserve for Future Debt Service	\$ 306,377.00
	\$ 2,720,000.00

Parking Fund – Current and Future Capital Needs:

Five Year Capital Improvement Plan - Existing Parking Facilities
\$800,000.00

Capital Projects in current facilities deferred in previous years due to lack of funds.

Funding must be identified within Parking Fund, i.e.: retained earnings, operational budgets, and reserve for future debt service.

Expansion of the Parking System

Two new Parking Decks to support Campbell Avenue and West Church Avenue Development - \$7.2 Million

FY04 \$2 Million bond sold – debt service budgeted in FY05

FY06 \$2.6 Million bond to be sold – debt service will be budgeted in FY07

FY08 \$2.6 Million bond to be sold – debt service will be budgeted in FY09

Weekends and Evening rates are anticipated to be the revenue source for new decks.

The City Manager advised that it was recognized several years ago that the current rate structure would not support debt service for the two new parking garages; therefore, the City had two choices: raise the daily or monthly rate for all decks, or establish a general rate increase. For future consideration, she referred to feasibility of imposing a flat rate for parking during evening hours and on weekends.

Council Member McDaniel noted that free parking during evening hours and on weekends has helped to support downtown businesses.

Council Member Cutler stated that it is hoped that the area near the Jefferson Center would become more active and generate the need for more parking in the future.

Council Member Wishneff advised that downtown merchants previously requested that a portion of the revenue derived from increasing the meals tax would be used to reduce parking rates, and inquired if parking rates are a disincentive for businesses when considering locating in Roanoke County or the suburbs versus in the downtown area. The City Manager responded that she knew of only one situation in the past two years where a small company in a neighboring locality stated that it was interested in receiving some kind of incentive or subsidy with regard to parking, and the City suggested a technology incentive which could be channeled and used by the company to write down the cost of parking, however, the company chose not to take advantage of the offer. Beyond that, she stated that the real issue tends to be the location of parking, and called attention to two studies with regard to downtown parking which determined that the City of Roanoke has sufficient public and private downtown parking, but that parking may not be physically located as close to businesses as would be desired. She asked that City staff be made aware of any instances in the past, or in the future, when parking is a disincentive.

Through economic development efforts, Council Member Wishneff spoke in support of the City more aggressively recruiting businesses to the downtown area that are currently located in the region, with an appropriate package of information. The City Manager suggested that regional businesses be contacted to determine if there is an interest in locating an additional business in downtown Roanoke.

Council Member Wishneff inquired if the City administration was looking at expansion of parking garages in the heart of the downtown district; whereupon, the City Manager stated that expansion would be suggested when there is a demand for more parking, and discounted parking fees are offered in order to increase usage of the Gainsboro Parking Garage. Council Member Wishneff stated that the City should be willing to consider expansion of parking facilities in order to attract major business to the downtown area.

Council Member Wishneff suggested that the City consider implementing valet parking in downtown Roanoke as an incentive; whereupon, the City Manager stated that some restaurants have offered evening valet parking in the past, downtown parking garages could be used for this purpose, and she has encouraged the owners of restaurants to market the feature as an incentive to draw more people downtown.

Council Member Dowe stated that the advantage of being able to walk to a restaurant, as opposed to driving, should be emphasized by the City as an incentive to businesses to locate in downtown Roanoke; whereupon, the City Manager advised that the walking feature is offered as an incentive when the City receives an inquiry from a potential business.

Council Member Dowe called attention to certain concerns expressed by the public with regard to the safety of parking garages; whereupon, the City Manager stated that recent citizen surveys asked specific questions with regard to parking and it appears that safety, in general, in the downtown area has improved; downtown Roanoke businesses pay for an ambassador service through any additional tax rate; and off duty police officers patrol the lower parking decks from 9:00 p.m. until 2:00 a.m. on weekends and uniformed employees are stationed at the front of the parking garages to welcome pedestrians and motorists.

Council Member Cutler inquired if the Art Museum had assumed any responsibility for parking; whereupon, the City Manager advised that unlike suburban areas, there is no requirement for any business or activity to provide its own parking in downtown Roanoke, and the parking arrangement is generally absorbed in the public and private sectors through service parking lots and parking garages. She stated that the City has begun to make accommodations for those persons parking vehicles on a regular basis on the surface parking lot so that those parkers will be properly transitioned as the site moves to construction of the new Art Museum.

Economic Development Incentive Policy:

In response to a recent request from a Council Member, the City Manager presented a draft Economic Development Incentive Policy. She advised that the policy formalizes and organizes many of the same considerations and processes that the City has used in the development of previous economic development grants over the past five or six years, as well as for recent projects such as FreightCar Roanoke and the Ivy Market. She noted that the proposed policy identifies eligible activities and areas of assistance for economic development grants to be considered by Council and establishes a review and evaluation process by staff, an approval process by Council, and an implementation procedure in conjunction with the Industrial Development Authority.

R. Brian Townsend, Acting Director, Economic Development, presented the following overview of the proposed policy:

The City of Roanoke establishes this Economic Development Partnership Policy to further the goals and policies of the City's Comprehensive Plan, Vision 2001- 2020, to create and retain jobs, and to encourage new investment in the City. This policy establishes a framework within which the City Council and City Administration may consider the equitable and appropriate evaluation of economic development proposals.

I. Eligible Activities/Areas of Assistance

The following activities and types of assistance may be eligible for consideration as part of any request for economic development grants made under this policy. Note: All grants would be made through the Industrial Development Authority of the City of Roanoke, Virginia (IDA).

- a. Reduction of the sale price of City-owned land for the purpose of development
- b. Grants for investment in machinery and equipment subject to local taxation
- c. Grants for investment in site infrastructure of an 'extraordinary' nature necessary to support proposed development as opposed to typical development practices observed in the City (For example, developing land with extreme drainage issues or including infrastructure to mitigate flooding downstream.)
- d. Grants for investment in public infrastructure built by the developer or business, such as streets, traffic signals, drainage improvements, etc., serving a public purpose over and above support of the proposed development itself, which are dedicated back to the City and meet state and local standards
- e. Grants for investment in extension of public utilities
- f. Grants for training for new jobs filled by City residents or re-training of City residents in existing jobs

2. Procedure and Process

- a. Applicants for assistance must submit to the Director of Economic Development, in writing, a description of the proposed project, including:

- a. Type of business
- b. Legal name of entity
- c. Description of project
- d. Entity's financial ability to do project
- e. Experience of entity in similar projects
- f. Partners in the project
- g. Amount of investment
 - i. Real Estate
 - ii. Machinery & Tools
 - iii. Personal Property
- h. Number of new jobs/jobs retained
 - i. Salary range
 - ii. Benefits
- i. Project time frame
- j. Specific grant request
- k. Justification/need for assistance
- l. Benefits to the City
- m. Other applicable grants received
- n. Such other information and documents as requested by the City

- b. Applicants should also provide a spreadsheet of estimated direct revenue produced by year.

3. Review and Consideration of Grant Requests

The Director of Economic Development, in consultation with the City Attorney, Director of Finance, and other appropriate City departments, shall review and evaluate each request using the general guidelines below, allowing flexibility to determine the needs for each specific request. Guidelines may be individually considered or combined, depending on the nature of the project:

- a. Business or developer should have been in existence at least three years with good financial standing at time of request.
- b. Investment in new construction or renovations to existing facilities, and/or equipment investment should be at least \$5 million, unless the business currently has operations in the City valued/assessed at that amount or more.
- c. Number of jobs created or jobs earmarked for retention/retraining should be at least 100 permanent/full-time positions.

- d. Proposed average salaries should be at or above the median wage level for the region. (Note: Currently \$12.66/hr)
- e. Estimation of tax revenue generated based on projected building/land assessment, equipment value, business personal property, business license tax, and sales tax, as applicable, should cover the value of the requested grant within a three to ten year time frame.
- f. The submitted grant request should clearly indicate the existing/requesting business or proposed new development is considering a location in another state or adjacent locality, and/or the physical conditions of a specifically proposed site within the City would not reasonably support the proposed development without grant assistance.
- g. The grant request would result in underutilized, blighted or obsolete land uses being eliminated and/or additional sites for future development being created as a result of the proposed grant request.
- h. The grant request would mitigate 'extraordinary' development costs.
- i. Any public improvements subject to the grant request and undertaken as part of the proposed development would benefit the public generally and the surrounding neighborhood.
- j. The proposed development would not result in any significant environmental pollution.
- k. Whether the business is participating in other incentive programs offered by the City, State or Federal levels of government to which the project is entitled. The City must determine if other sources of funds available to the existing/requesting business might preclude the City's further participation in the development. (City incentives are summarized in Appendix A of this policy.)
- l. Such other items or matters relevant to determining the City's participation.

The Director of Economic Development shall report the findings, evaluation, and analysis related to the grant request to the City Manager to formulate a recommendation on any grant request. This recommendation shall be made to the City Council, based on the general parameters of this policy.

4. Approval of Grants by City Council

- a. A written Performance Agreement in a form approved by the City Attorney and reviewed by the Director of Finance for fiscal/financial impact, specifying the terms, conditions, and obligations of the parties must be agreed to and signed by the existing/requesting business before approval by City Council and the IDA, and be fully executed prior to the disbursement of grant funds.
- b. The IDA, upon approval as outlined above, will administer the payment of grant funds to each grant recipient in a manner as outlined in the executed performance agreement.
- c. The grant recipient shall provide written reports and documentation to the City and IDA, showing its compliance with the Performance Agreement. Other documents or verifications may be requested by either the City or IDA.
- d. Grant payments should be reimbursements made once milestones, conditions, and obligations of the grant recipient, outlined in the Performance Agreement, are met and verified, not before, unless a Governor's Opportunity Fund (GOF) grant has been secured. In GOF cases, GOF incentives are usually provided at the initiation of the development, or as the state may otherwise require.

The City Manager advised that training funds have been targeted for residents of the City of Roanoke and not for residents of the region; while it is good for the region and the City for a business to locate within the community, the City of Roanoke is an "importer" of people into the community for jobs, therefore, growing the income of people who live in the City of Roanoke will sustain the community over the long term. She added that if the City of Roanoke were to retain a business and retraining was required, training incentive funds that would be recommended to the Council would be on behalf of the City's core residents.

Council Member Wishneff referred to item 3, Review and Consideration of Grant Requests, and inquired if they were “and/or” items; whereupon, Mr. Townsend stated that they would be considered as optional. He further inquired if the policy captured “either high per acre development cost or extraordinary cost”; whereupon, Mr. Townsend responded that the policy related to general total investment, and the City could include a certain amount per acre investment, such as that which was used for the sale of property at the Roanoke Centre for Industry and Technology.

Council Member Wishneff suggested that the City administration consider changing the time frame as set forth in item 3.e. from “three to seven years” to “three to ten years”, in order to provide more flexibility.

Council Member Lea stated that item 1.f. with regard to training sends a positive message to Roanoke City residents.

Council Member Cutler made the following comments/suggestions on certain components of the draft policy:

- 1.c. He questioned whether downstream flooding would ever be eliminated.
- 2.a.g. He suggested adding “iv. Infrastructure”.
- 2.a.m. He suggested that “coordination of grants” be added for leverage, in order to combine any other grants that businesses may be eligible for.
- 3.g. He suggested changing the word “request” to “requested”.
- 3.i. He suggested removal of “beyond industry standards” because industries should not be invited that would provide significant environmental pollution.
- 4.a. He inquired whether IDA approval was required; whereupon, the City Manager stated that the IDA must be a signatory because it is the entity that actually transmits the funds.

With regard to item 6.2., Council Member Cutler suggesting the addition of a parallel tax exemption for using Leadership and Energy Environment Design Standards (LEEDS); whereupon, the City Manager stated that the Dillon Rule affected what the State would allow the City to do, but the City could encourage a future General Assembly to make such a provision through the legislative process.

Council Member McDaniel inquired as to what the City could do to be on the cutting edge to increase opportunities to attract new businesses; whereupon, Mr. Townsend stated that a number of localities do not have a written Economic Development Incentive Policy, but follow the standard process and procedure established by the Commonwealth of Virginia.

The City Manager inquired if Council would like to officially adopt the proposed Economic Development Incentive Policy, or have an understanding that the document would be the City's policy by which Economic Development staff would guide deliberations. It was the consensus of Council to not limit the flexibility of Economic Development staff, it would not be necessary to formally adopt the Policy, and the Policy would be an administrative guideline.

The City Manager advised that in addition to creating training incentives for City residents, Economic Development staff will work closely with Human Services staff to identify those citizens who are either unemployed or under-employed and to work with businesses to develop skill sets which will enable citizens to become competitive in the employment process. She stated that the Department of Human Services has Federal training funds that can be used for this purpose and the City will target two small businesses that plan to expand in the future in an effort to provide employment opportunities.

At 1:00 p.m., the Council met in Closed Session in Room 159, Noel C. Taylor Municipal Building.

At 1:50 p.m., the Mayor declared the Council meeting in recess until 2:00 p.m., in the City Council Chamber, Room 450, Noel C. Taylor Municipal Building.

At 2:00 p.m., on Monday, August 1, 2005, the Council meeting reconvened in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor C. Nelson Harris presiding.

PRESENT: Council Members M. Rupert Cutler, Beverly T. Fitzpatrick, Jr., Sherman P. Lea, Brenda L. McDaniel, Brian J. Wishneff and Mayor C. Nelson Harris-----6.

ABSENT: Council Member Alfred T. Dowe, Jr -----1.

(Council Member Dowe left the meeting at 12:00 p.m.)

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The invocation was delivered by Vice-Mayor Beverly T. Fitzpatrick, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

PRESENTATIONS AND ACKNOWLEDGEMENTS:

POLICE DEPARTMENT-ACTS OF ACKNOWLEDGEMENT: The Mayor presented a proclamation declaring August 2, 2005, as National Night Out to Joseph Gaskins, Chief of Police

The City Manager advised that she attended the recent reaccreditation process for the Police Department, and Commissioners participating in the valuation were complimentary of the City of Roanoke which is the 11th best ranked City in the country, and one of the 10 smallest best cities in the United States. She stated that congratulations are in order for Roanoke's Police Department in recognition of their reaccreditation.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, the item would be removed from the Consent Agenda and considered separately.

CITY PROPERTY: A communication from the City Manager requesting that Council schedule a public hearing for Monday, August 15, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to conveyance of City-owned property located on Salem Avenue, S. W., described as Official Tax No. 1010107, to the Times World Corporation, was before the body.

Vice-Mayor Fitzpatrick moved that Council concur in the request of the City Manager. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

TAXES: A communication from the City Manager requesting that Council schedule a public hearing for Monday, August 15, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to the request of Star City Gospel Café, Inc., for tax exemption from local real estate taxation with regard to property located at 926 Indiana Avenue, N. E., was before the body.

Vice-Mayor Fitzpatrick moved that Council concur in the request of the City Manager. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

ZONING-ANNUAL REPORTS: A communication from the Board of Zoning Appeals transmitting the 2005 Annual Report, was before the body.

Vice-Mayor Fitzpatrick moved that the Annual Report be received and filed. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

PARKS AND RECREATION-COMMITTEES-HOUSING/AUTHORITY-PERSONNEL DEPARTMENT-ROANOKE ARTS COMMISSION-LIBRARIES-PENSIONS: The following reports of qualification were before Council:

Frank J. Eastburn as a member of the Roanoke Arts Commission, for a term ending June 30, 2008;

Ben J. Fink as a Commissioner of the Roanoke Redevelopment and Housing Authority, for a term ending August 31, 2009;

Sloan H. Hoopes as a member of the War Memorial Committee, for a term ending June 30, 2008;

Curtis E. Mills as a member of the Personnel and Employment Practices Commission, for a term ending June 30, 2008;

George F. Taylor as a member of the Board of Trustees, City of Roanoke Pension Plan, for a term ending June 30, 2009; and

Eddie Wallace, Jr., as a member of the Mill Mountain Advisory Committee, for a term ending June 30, 2008.

Vice-Mayor Fitzpatrick moved that the reports of qualification be received and filed. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS: NONE.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

POLICE DEPARTMENT-BUDGET-GRANTS: The City Manager submitted a communication advising that the Police Department employs a full time crime analyst whose role is vital in the successful application of the principles of community policing; and sophisticated analytical and mapping software packages are a necessary component of any professional crime analysis unit.

It was further advised that the Police Department was awarded \$28,715.00 in grant funds through the Byrne Memorial Grant Program; funds must be used toward purchase of updated GIS mapping software and analytical computer programs, which will enhance the City's ability to track crime trends, as well as investigate on-going criminal enterprises; a required non-federal cash match of \$9,572.00 is available through the State Asset Forfeiture Program; and the grant award and cash match combine to make the effort a \$38,287.00 project.

The City Manager recommended that she be authorized to execute the Crime Analysis Grant award, in the amount of \$28,715.00, from the Department of Criminal Justice Services and the Byrne Memorial Grant Program agreement and any other related documents, subject to approval as to form by the City Attorney; that Council appropriate funds totaling \$38,287.00 to the Publications and Subscriptions account and establish a revenue estimate of \$28,715.00 in accounts to be established by the Director of Finance in the Grant Fund, and transfer \$9,572.00 from State Asset Forfeiture, Account No. 035-640-3302-9015, to cover the required local cash match.

Vice-Mayor Fitzpatrick offered the following budget ordinance:

(#37130-080105) AN ORDINANCE appropriating funds for the Byrne Memorial Grant, amending and reordaining certain sections of the 2005-2006 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 512.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 37130-080105. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

Vice-Mayor Fitzpatrick offered the following resolution:

(#37131-080105) A RESOLUTION authorizing the acceptance of a Crime Analysis Grant from the Department of Criminal Justice Services, and authorizing execution of any required documentation on behalf of the City.

(For full text of resolution, see Resolution Book No. 69, Page 513.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 37131-080105. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

BUDGET-GRANTS-TREES: The City Manager submitted a communication advising that on June 7, 2005, the City of Roanoke was notified by the Virginia Department of Forestry that a \$13,500.00 grant would be awarded to the City upon completion of a Memorandum of Agreement to fund a part-time Urban Forestry Planner to work with the City's Urban Forester on "Development Alternatives and Guidelines for Tree Protection"; the grant is from the same program that funded the part-time Urban Forestry Planner for the past three years; and this is the last year that the grant program can be used to fund an Urban Forestry Planner.

It was further advised that the \$13,500.00 Urban and Community Forestry Grant is a Federal grant sponsored by the National Forest Service and administered by the Virginia Department of Forestry; funds are awarded on a reimbursement basis after verification of the local match; the majority of the City's required local match will consist of 558 hours of staff time provided by the Urban Forester, an employee in the Parks and Recreation Department; the local cash match will be an additional \$1,059.00 in salary and \$3,235.00, representing the City's share of FICA and the pro-rata share of long-term disability, hospitalization and dental insurance; and funds will be used for the following purposes:

- Develop guidelines for planting trees along riparian buffers (to coordinate with implementation of the revised zoning ordinance).
- Make corresponding revisions to the public tree ordinance so that City property meets higher standards.
- Use CITYgreen software to analyze individual forested sites, and make such analyses available as a key tool in evaluating proposed developments and land disturbances in the City.

The City Manager recommended that she be authorized to accept the Urban and Community Forestry Grant, in the amount of \$13,500.00, and that she be further authorized to execute an agreement with the Virginia Department of Forestry and any other forms necessary to accept the grant, subject to approval as to form by the City Attorney; that Council appropriate \$13,500.00 in Federal funding and establish a corresponding revenue estimate in an account to be established by the Director of Finance in the Grant Fund; and transfer \$4,294.00 from Parks and Recreation Temporary Wage, Account No. 001-620-4340-1004, to the above referenced Grant Fund account, with expenditures to be appropriated as follows:

<u>Account</u>	<u>Account No.</u>	<u>Amount</u>
Regular Employee Salaries	035-620-4346-1002	\$ 14,559.00
FICA	035-620-4346-1120	\$ 1,296.00
Long-Term Disability	035-620-4346-1131	\$ 52.00
Hospitalization Insurance	035-620-4346-1125	\$ 1,770.00
Dental Insurance	035-620-4346-1126	\$ 117.00
TOTAL		<u>\$ 17,794.00</u>

Council Member Cutler offered the following budget ordinance:

(#37132-080105) AN ORDINANCE appropriating funds for the Urban and Community Forestry Grant, amending and reordaining certain sections of the 2005-2006 General and Grant Funds Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 513.)

Council Member Cutler moved the adoption of Ordinance No. 37132-080105. The motion was seconded by Vice-Mayor Fitzpatrick.

Council Member Cutler advised that on July 28, 2005, the City of Roanoke was acknowledged in *U. S. A. Today* for its outstanding Urban Forestry Program. He commended employees of the City's Parks and Recreation Department.

There being no further questions/comments by Council Members, Ordinance No. 37132-080105 was adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

Council Member Cutler offered the following resolution:

(#37133-080105) A RESOLUTION accepting the Urban and Community Forestry Grant from the Virginia Department of Forestry, and authorizing the execution of the necessary documents.

(For full text of resolution, see Resolution Book No. 69, Page 514.)

Council Member Cutler moved the adoption of Resolution No. 37133-080105. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

BUDGET-HUMAN DEVELOPMENT: The City Manager submitted a communication advising that the Virginia Department of Social Services grants funds to Virginia Commonwealth University (VCU) for operation of five Virginia Institute for Social Service Training Activities (VISSTA) Area Training Centers throughout the Commonwealth of Virginia; and the City of Roanoke Department of Social Services has received an annual subaward for local supervision and operation of the Piedmont Area Training Center since 1998.

It was further advised that Council adopted a budget of \$373,357.00 for the 2006 Fiscal Year Program; the actual subaward amount is \$258,505.00 for the first half of the fiscal year; a new subaward for the second half of the fiscal year will be issued in the fall; the City expects the total amount of the subaward to exceed the adopted budget; and the subaward is issued on a cost reimbursable basis.

Vice-Mayor Fitzpatrick offered the following resolution:

(#37134-080105) A RESOLUTION authorizing the acceptance of a subaward in the amount of \$258,505.00 from Virginia Commonwealth University and authorizing the City Manager to execute a subaward agreement with Virginia Commonwealth University for such funds for local supervision and operation of the Virginia Institute for Social Service Training Activities ("VISSTA") Piedmont Area Training Center, upon certain terms and conditions.

(For full text of resolution, see Resolution Book No. 69, Page 515.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 37134-080105. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

HOUSING/AUTHORITY-COMMUNITY PLANNING-GRANTS: The City Manager submitted a communication advising that for more than 25 years, Community Housing Partners Corporation (CHPC) has successfully constructed and renovated housing in several localities across the Commonwealth of Virginia; pursuant to Resolution No. 36764-070604, Council authorized execution of CHPC's first contract to produce housing using Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funds provided by the City; and since that time, CHPC has acquired and rehabilitated eight properties in the City's Hurt Park, Mountain View and West End neighborhoods.

It was advised that at a special meeting held on May 10, 2005, Council approved the City's 2005-2010 Consolidated Plan, including activities designated to receive CDBG and HOME funding during the fiscal year 2005-2006 period; designated activities was to continue CHPC's housing efforts in the neighborhoods; new 2005-2006 CDBG and HOME funding provided for CHPC's activities, totaling \$215,000.00, will allow CHPC to rehabilitate eight additional houses, or a total of 16 to be completed by June 30, 2006; and funds will also provide for homebuyer education, which is conducted by Blue Ridge Housing Development Corporation through a cooperative agreement with CHPC.

It was explained that Section 2-124 of the Code of the City of Roanoke (1979), as amended, limits the City Manager's direct authority to a maximum of \$25,000.00 with respect to amending Federally assisted subgrant agreements; therefore, authorization by Council is required in order to implement actions called for by the amendment; extending the 2004-2005 CHPC agreement and adding the necessary funding under a single amendment is more efficient than creating a new agreement; and all of the necessary funds have previously been appropriated into the required accounts, which is detailed in the draft amendment as set forth in the City Manager's letter dated August 1, 2005.

The City Manager recommended that she be authorized to execute Amendment No. 1 to the 2004-2005 CDBG/HOME Agreement with CHPC, subject to approval as to form by the City Attorney.

Vice-Mayor Fitzpatrick offered the following resolution:

(#37135-080105) A RESOLUTION authorizing the appropriate City officials to execute an Amendment No. 1 to the 2004-2005 Agreement with Community Housing Partners Corporation, Inc. ("CHPC") to conduct housing activities using Community Development Block Grant ("CDBG") and HOME Investment Partnerships Program ("HOME") funds, upon certain terms and conditions.

(For full text of resolution, see Resolution Book No. 69, Page 516.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 37135-080105. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

HOUSING/AUTHORITY-COMMUNITY PLANNING-GRANTS: The City Manager submitted a communication advising that at a special meeting held on May 10, 2005, Council approved the City's 2005-2010 Consolidated Plan, including activities designated to receive Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funding during the fiscal year 2005-2006 period; activities provided for continuing BRHDC's housing efforts in the Gainsboro neighborhood under Project GOLD ("Gainsboro Opportunities Leveraging Development"), the City's most recent effort to concentrate CDBG and HOME resources, as well as funding for BRHDC to acquire and assist housing in a distressed section of Hanover Avenue, N. W., and to repair several single-room

occupancy (SRO) facilities operated by BRHDC; new 2005-2006 CDBG and HOME funding provided for the activities totals \$787,822.00; in addition, \$40,000.00 in CDBG funds was previously approved and set aside by Council for Hanover Avenue activities on February 22, 2005; an increase of \$10,000.00 in CDBG funding is needed for BRHDC's Demolition Fund activities to provide sufficient funds to remove two houses in the 1000 block of Gilmer Avenue that are too deteriorated for rehabilitation; and amendment to the BRHDC agreement addresses all project activities.

It was further advised that Section 2-124 of the Code of the City of Roanoke (1979), as amended, limits the City Manager's direct authority to a maximum of \$25,000.00 with respect to amending Federally assisted subgrant agreements; therefore, authorization by Council is required in order to implement actions required by the amendment; extending the 2004-2005 BRHDC agreement, incorporating the two new activities and adding the necessary funding under a single amendment is more efficient and allows more effective administration of multiple activities to be undertaken by BRHDC; and all necessary funds have previously been appropriated into the required accounts, as more fully described in an attachment to the draft amendment.

The City Manager recommended that she be authorized to execute Amendment No. 1 to the 2004-2005 CDBG/HOME Agreement with the BRHDC, subject to approval as to form by the City Attorney.

Vice-Mayor Fitzpatrick offered the following resolution:

(#37136-080105) A RESOLUTION authorizing the appropriate City officials to execute an Amendment No. 1 to the 2004-2005 Agreement with Blue Ridge Housing Development Corporation ("BRHDC") to conduct housing activities using Community Development Block Grant ("CDBG") and HOME Investment Partnerships Program ("HOME") funds, upon certain terms and conditions.

(For full text of resolution, see Resolution Book No. 69, Page 516.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 37136-080105. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

HOUSING/AUTHORITY-COMMUNITY PLANNING-GRANTS: The City Manager submitted a communication advising that each year, the Roanoke Redevelopment and Housing Authority (RRHA) conducts a variety of housing programs using Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funds provided by the City; at a special meeting held on May 10, 2005, Council approved the City's 2005-2010 Consolidated Plan, including activities designated to receive CDBG and HOME funding during the fiscal year 2005-2006 period; among designated activities was continuing the RRHA's housing efforts in the Gainsboro neighborhood as part of *Project GOLD* ("Gainsboro Opportunities Leveraging Development"), the City's most recent effort to concentrate CDBG and HOME resources; and new 2005-2006 CDBG and HOME funding provided for the RRHA's *Project GOLD* activities totals \$1,295,699.00 which will allow the Housing Authority to continue substantial and limited owner- and tenant-occupied housing assistance, including emergency repairs and serving special needs populations, while adding to the ability to acquire property for housing development.

It was further advised that the contract amendment also provides an additional \$394,546.00 in CDBG funds to the RRHA for activities to reduce derelict structures in the City; in coordination with appropriate City departments, the RRHA will acquire, rehabilitate and sell such properties to homebuyers and/or offer subsidies to third parties for such purposes; and a component of the activity will use the "slums and blight" latitude provided under CDBG funds to rehabilitate housing for sale to homebuyers above the low- and moderate-income level, thus promoting income diversity in the City.

It was explained Section 2-124 of the Code of the City of Roanoke (1979), as amended, limits the City Manager's direct authority to a maximum of \$25,000.00 with respect to amending Federally assisted subgrant agreements; therefore, authorization by Council is required in order to implement those actions required by the amendment; extending the 2004-2005 RRHA agreement, incorporating new activities and adding the necessary funding under a single amendment is more efficient and allows more effective administration of multiple activities undertaken by the RRHA; and all necessary funds have been previously appropriated to required accounts, as set forth in the draft amendment, which is included with a letter from the City Manager dated August 1, 2005.

The City Manager recommended that she be authorized to execute Amendment No. 1 to the 2004-2005 CDBG/HOME Agreement with the Roanoke Redevelopment and Housing Authority, subject to approval as to form by the City Attorney.

Vice-Mayor Fitzpatrick offered the following resolution:

(#37137-080105) A RESOLUTION authorizing the appropriate City officials to execute an Amendment No. 1 to the 2004-2005 Agreement with the City of Roanoke Redevelopment and Housing Authority ("RRHA") to conduct housing activities using Community Development Block Grant ("CDBG") and HOME Investment Partnerships Program ("HOME") funds, upon certain terms and conditions.

(For full text of resolution, see Resolution Book No. 69, Page 517.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 37137-080105. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

PURCHASE/SALE OF PROPERTY-HOUSING/AUTHORITY-GRANTS: The City Manager submitted a communication advising that during the past year, SmithLewis Architecture, under contract to the Council of Community Services (CCS), undertook the "Cradle to Cradle (C2C) Home Design Competition"; promoting Roanoke as a leader in the field of quality, sustainable and affordable housing design; the international competition attracted over 625 designs and participants from 41 countries worldwide; and the City provided \$30,000.00 in local funds and an additional \$100,000.00 in 2004-2005 Community Development Block Grant (CDBG) funds for the initial phase of the project.

It was further advised that prior to the January 2005 selection of winning designs, SmithLewis and CCS began preparing for the implementation phase of the project; and a number of for-profit and nonprofit builders, such as Fralin and Waldron, Inc., Building Specialists, Inc., Blue Ridge Housing Development Corporation and the Roanoke Redevelopment and Housing Authority have partnered to develop housing using designs and concepts that were brought forth by the competition.

It was explained that at a special meeting held on May 10, 2005, Council approved the City's 2005-2010 Consolidated Plan, including activities designated to receive CDBG funding during the fiscal year 2005-2006 period; and among designated uses was the second \$100,000.00 in CDBG funds for the C2C Home development phase.

It was further explained that the impetus for a design competition originated with the CCS, which served as the recipient of both local and CDBG funds previously provided by the City; however, given that the CCS is not a development entity, it is desirous of a more appropriate entity assuming responsibility for the building phase of the project; in February 2005, C2C Home, LLC, was formed as a subsidiary of the Cabell Brand Center for Poverty & Resources Studies and duly organized under rules of the Commonwealth of Virginia, as certified by the State Corporation Commission; C2C Home, LLC, will succeed the CCS as the entity responsible for the next phase of the project; in addition to confirming the successor entity and its legal status, the City required that, as a prerequisite to executing a contract for the \$100,000.00 in CDBG funds, that the entity raise at least \$75,000.00 from sources other than the City for construction management, which is not reimbursable with CDBG funds; a total of \$200,000.00, including a commitment of \$50,000.00 a year for three years from one source has been raised, satisfying the City's second stipulation; and CDBG funds are available in Account No. 35-G06-0620-5426 and will be used for property acquisition, site preparation, other preconstruction costs and planning/administration.

The City Manager recommended that Council authorize execution of the 2005-2006 CDBG Subgrant Agreement with C2C Home, LLC, subject to approval as to form by the City Attorney.

Council Member Cutler offered the following resolution:

(#37138-080105) A RESOLUTION authorizing the City Manager to enter into the 2005-2006 Community Development Block Grant (CDBG) Subgrant Agreement with the C2C Home, LLC, upon certain terms and conditions.

(For full text of resolution, see Resolution Book No. 69, Page 518.)

Council Member Cutler moved the adoption of Resolution No. 37138-080105. The motion was seconded by Vice-Mayor Fitzpatrick.

Greg Lewis, representing C2C Home, LLC, expressed appreciation for the City's support of the Cradle to Cradle project which is nearing the construction phase on a number of houses, and opportunities to expand on the work that has been accomplished to this point is under review. He advised that a project on Harrison Avenue, under the direction of the Blue Ridge Housing Development Corporation, is about to move forward; a land transfer has occurred, or is about to occur, between the Roanoke Redevelopment and Housing Authority and Blue Ridge Housing Development Corporation; Fralin and Waldron, Inc., and E. J. Miller Construction Company are moving forward with a house to be constructed on Hackley Avenue; and Community Housing Partners is working on a design for a third project on Day Avenue.

There being no questions/comments by Council, Ordinance No. 37138-080105 was adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

COMMUNITY PLANNING-TOTAL ACTION AGAINST POVERTY-GRANTS: The City Manager submitted a communication advising that since 1965, Total Action Against Poverty (TAP) has developed and executed programs that promote adequate housing, employment, health and nutrition, and education for the citizens of Roanoke and surrounding areas; for the past three years, TAP'S Helping Elderly Live Pleasantly (HELP) program, now known as the Emergency Home Repair Program, has performed emergency home repairs for approximately 84 needy citizens of Roanoke; Council authorized TAP to conduct housing activities in the community, pursuant to Resolution No. 37051-051005, which approved the City's 2005-2006 Action Plan Consolidated Plan for submission to the U. S. Department of Housing and Urban Development (HUD); Council accepted 2005-2006 CDBG funds on June 20, 2005, pursuant to Ordinance No. 37086-062005 and Resolution No. 37087-062005; and pursuant to letter dated July 15, 2005, HUD approved the City's new five-year Consolidated Plan and the first year action plan.

It was further advised that in order for TAP to conduct approved 2005-2006 housing activities, authorization by Council is needed to execute a Subgrant Agreement; the necessary CDBG funding is available in an account listed in the draft Agreement; and a total of \$100,000.00 will be allocated to TAP to provide limited and emergency repairs to 21 homes city-wide, with the exception of the Gainsboro and Gilmer neighborhoods which are assisted through an agreement with the Roanoke Redevelopment and Housing Authority.

The City Manager recommended that she be authorized to execute the 2005-2006 CDBG Subgrant Agreement with Total Action Against Poverty, subject to approval as to form by the City Attorney.

Vice-Mayor Fitzpatrick offered the following resolution:

(#37139-080105) A RESOLUTION authorizing the City Manager to enter into the 2005-2006 Community Development Block Grant ("CDBG") Subgrant Agreement with Total Action Against Poverty ("TAP"), upon certain terms and conditions.

(For full text of resolution, see Resolution Book No. 69, Page 518.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 37139-080105. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

BLUE RIDGE BEHAVIORAL HEALTHCARE: The City Manager submitted a communication advising that the 1998 General Assembly passed HB428 which amended and reenacted sections of the Code of Virginia relating to local roles and responsibilities for mental health, mental retardation, and substance abuse services; Section 37.1-194, Code of Virginia, 1950, as amended, requires every locality to establish a community service board to oversee delivery of mental health, mental retardation and substance abuse services, and it is further required that the local governing body of a locality approve the Performance Contract; the City of Roanoke has already established Blue Ridge Behavioral Healthcare, pursuant to the statutory provision, as the Community Services Board; and the adopted budget for fiscal year 2005-2006 includes an appropriation of \$434,481.00 for the organization.

It was further advised that in accordance with Title 37.1, Code of Virginia, 1950, as amended, Blue Ridge Behavioral Healthcare has submitted a Fiscal Year 2006 Community Services Performance Contract to ensure delivery of publicly funded services and support to citizens of the Commonwealth of Virginia with mental illness, mental retardation, or substance abuse; services are to be provided directly, or by contract, through the operating board of the Community Services Board; and Section 37.1-198B, Code of Virginia, requires all governing bodies for localities served by the Community Services Board to approve the Community Services Performance Contract.

The City Manager recommended that she be authorized to execute any required documents to enter into a Performance Contract with Blue Ridge Behavioral Healthcare Board of Directors; and that Council adopt a resolution approving execution of the Fiscal Year 2006 Performance Contract.

Vice-Mayor Fitzpatrick offered the following resolution:

(#37140-080105) A RESOLUTION approving and authorizing the execution of the Blue Ridge Behavioral Healthcare FY 2006 Performance Contract, upon certain terms and conditions.

(For full text of resolution, see Resolution Book No. 69, Page 519.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 37140-080105. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

CITY ATTORNEY:

TRAFFIC-CITY CODE-CODE ENFORCEMENT: The City Attorney submitted a written report advising that during the last two sessions, the General Assembly amended §15.2-905, Code of Virginia (1950), as amended, which is enabling legislation for Article VI, Keeping of Inoperable Motor Vehicles, of Chapter 20, Motor Vehicles and Traffic, Code of the City of Roanoke (1979), as amended, the City's inoperable motor vehicle ordinance; amendments to §15.2-905 include a new definition of the term "shielded or screened from view"; the new definition is more narrow than the definition for the same term currently used in §20-125 of the City's inoperable motor vehicle ordinance; and, in addition, the legislature amended §15.2-905, Code of Virginia, to allow an owner of an inoperable motor vehicle to keep outdoors the inoperable motor vehicle and one additional inoperable motor vehicle that is shielded or screened from view, if the owner can demonstrate that he or she is actively restoring or repairing one of the inoperable motor vehicles.

The City Attorney recommended that Council adopt an ordinance which amends §20-125 and §20-126 of the City Code to bring the City's inoperable motor vehicle ordinance into compliance with State enabling legislation.

Council Member Cutler offered the following ordinance:

(#37141-080105) AN ORDINANCE amending and reordaining §20-125, Definitions, and §20-126, Restriction on keeping of inoperable motor vehicles, of Article VI, Keeping of Inoperable Motor Vehicles, of Chapter 20, Motor Vehicles and Traffic, of the Code of the City of Roanoke (1979), as amended, in order to conform with state law, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 520.)

Council Member Cutler moved the adoption of Ordinance No. 37141-080105. The motion was seconded by Vice-Mayor Fitzpatrick.

There being no questions/comments by Council, Ordinance No. 37141-080105 was adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

REPORTS OF COMMITTEES: NONE.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

CITY COUNCIL: Council Member Cutler offered the following resolution changing the place of commencement of the regular meeting of Council to be held on Monday, August 15, 2005, to the Cafetorium at the Roanoke Academy for Mathematics and Science, 1616 19th Street, N. W.:

(#37142-080105) A RESOLUTION changing the place of commencement of the regular meeting of City Council scheduled to be held at 12:00 Noon, on August 15, 2005.

(For full text of Resolution, see Resolution Book No. 69, Page 522.)

Council Member Cutler moved the adoption of Resolution No. 37142-080105. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

HUMAN DEVELOPMENT-GRANTS: The Mayor advised that Resolution No. 37129-071805 adopted by the Council on Monday, July 18, 2005, authorized execution of a Grant Agreement with the Virginia Employment Commission for program year 2006 in order for the City of Roanoke to continue as the grant recipient of funding for the Workforce Investment Act for Area 3; however, the measure should have referenced Program Year 2005, therefore, a revised resolution was before the Council.

Vice-Mayor Fitzpatrick offered the following resolution:

(#37143-080105) A RESOLUTION authorizing the City Manager to execute the Grant Agreement with the Virginia Employment Commission for Program Year 2005 in order for the City to continue as the grant recipient of funding for the Workforce Investment Act for Area 3; and repealing Resolution No. 37129-071805, adopted July 18, 2005.

(For full text of Resolution, see Resolution Book No. 69, Page 523.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 37143-080105. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

POLICE DEPARTMENT-CITY CODE-ANIMALS/INSECTS-COMPLAINTS-CITY COUNCIL: Council Member Lea called attention to complaints by a number of citizens in the community with regard to unleashed and/or vicious dogs that are allowed to roam throughout some of the City's neighborhoods. He referred specifically to pit bull dogs and inquired if the City has enacted ordinances that address vicious dogs.

The City Manager advised that City Code provisions require that any dog that is off of the owner's premises must be leashed and whenever citizens observe a dog running loose, they are encouraged to immediately report the incident to the City's Animal Control division. She stated that Animal Control has the authority to issue a summons to the owner of a dog if, in the opinion of the officer, the owner has been negligent, and she would report back to Council with regard to the issue of regulation of vicious dogs.

ARMORY/STADIUM-SPORTS ACTIVITIES-SCHOOLS: Council Member Lea advised that the kick-off for the 6th Annual Western Virginia Education Classic was held on Friday, July 29, 2005, on the City Market, and the football game will be played on Saturday, October 29, 2005 at 2:00 p.m., at Victory Stadium by Saint Paul's College from Lawrenceville, Virginia, and Shaw University from Raleigh, North Carolina.

OATHS OF OFFICE-COMMITTEES-LIBRARIES: The Mayor advised that the three-year term of office of Anna Wentworth as a member of the Roanoke Arts Commission expired June 30, 2005; whereupon, he opened the floor for nominations to fill the vacancy.

Council Member Cutler placed in nomination the name of Susan Egbert.

There being no further nominations, Ms. Egbert was appointed as a member of the Roanoke Arts Commission for a term ending June 30, 2008, by the following vote:

FOR MS. EGBERT: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

(Council Member Dowe was absent.)

Council Member Cutler moved that the Roanoke City residency requirement be waived in this instance. The motion was seconded by Vice-Mayor Fitzpatrick and adopted.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, recommendation or report to Council.

CITY COUNCIL-DISABLED PERSONS: Mr. E. Duane Howard, 1135 Wasena Avenue, S. W., referred to a *Roanoke Times* editorial in the Monday, August 1, 2005 edition titled "Disabled Americans Still Face Obstacles". He requested that the Mayor's Committee for People with Disabilities be brought up to 21st century standards. He stated that July 26 marked the 15th anniversary of the Americans With Disabilities Act, yet the City of Roanoke is still 15 years behind times. He advised that *The Roanoke Times* commentary was correct in that the Americans With Disabilities Act (ADA) was meant to be far more than wheelchair ramps, closed caption television, and wider toilet stalls; the ADA envisioned making reasonable changes to the physical structure of buildings, public transportation, and the heart and soul of ADA was to outlaw discriminatory practices that relegate the disabled to inferior status. He stated that prior to renovation of the City Council Chamber, he requested that all persons be seated while addressing City Council which would have eliminated the stigma of inferior status for all speakers; however, his request was not honored by City officials/City staff and the Mayor's Committee for People With Disabilities. He suggested that the words "Mayor's Committee" be deleted and that the Committee be established as an official City of Roanoke committee. He suggested that the City of Roanoke consider those standards adopted by the City of Alexandria, Virginia, when addressing the needs of Roanoke's disabled population.

HOUSING/AUTHORITY-HOUSING/NEIGHBORHOOD CODE ENFORCEMENT-COMPLAINTS: Mr. Robert E. Gravely, 729 29th Street, N. W., spoke with regard to the overall condition of the City of Roanoke, i.e.: the need for home ownership for more persons, the overall cleanliness of the City, proper marketing of the Roanoke area, and the need to remove some of the City's tree canopy so as not to obstruct public rights-of-way.

CITY MARKET-TAXES: Mr. Robert E. Craig, 701 12th Street, S. W., expressed appreciation to the Director of Real Estate Valuation for meeting with him to discuss the City's practices with regard to real estate assessment.

He referred to the condition of food tables in the City Market Building that were covered with plastic tops which are misaligned and screws that are not properly driven into the surface of the tables that could create a potential safety hazard and a liability to the City of Roanoke. He stated that the condition of the table tops is indicative of poor job performance without adequate supervision. He advised that it was reported by City staff that the City Market Building is losing \$9,000.00 a month, if the \$158,000.00 of uncollected rent, which was the responsibility of the City or the City's management agent to collect, were multiplied 9 times by 12 equaling \$108,000.00, and if the \$108,000.00 is subtracted from \$158,000.00 of uncollected rent, there would be a \$50,000.00 profit for the City Market Building.

CITY MANAGER COMMENTS:

ACTS OF ACKNOWLEDGEMENT-NEIGHBORHOOD ORGANIZATIONS: The City Manager presented the Mayor with a Certificate of Appreciation which was issued to the City of Roanoke by Old Southwest, Inc., in recognition of outstanding job performance by the City's workforce. She advised that the following employees received individual recognition for their work in code enforcement efforts:

Susan Grogan representing the Solid Waste Division,
Police Officer Barak Plogger, and
Anne Stuart Beckett, staff to the Architectural Review Board.

NEIGHBORHOOD ORGANIZATIONS: The City Manager called attention to activities that will be held in various City of Roanoke neighborhoods on Tuesday, August 2 and Thursday, August 4, 2005, in conjunction with National Night Out.

At 2:55 p.m., the Mayor declared the Council meeting in recess and Council reconvened in Closed Session in the Council's Conference Room, Room 451, Noel C. Taylor Municipal Building.

At 3:25 p.m., the meeting reconvened in the Council Chamber, with all Members of the Council in attendance, with the exception of Council Member Dowe, Mayor Harris presiding.

COUNCIL: With respect to the Closed Meeting just concluded, Council Member Cutler moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris-----6.

NAYS: None-----0.

(Council Member Dowe was absent.)

There being no further business, the Mayor declared the meeting adjourned at 3:27 p.m.

A P P R O V E D

ATTEST:

Mary F. Parker
City Clerk

C. Nelson Harris
Mayor



CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

September 6, 2005

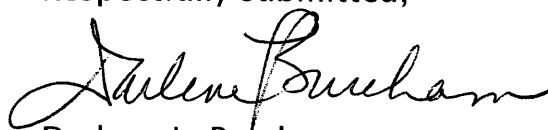
Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of City Council:

Subject: CMERP

This is to request that a public hearing be advertised on the above matter for Council's regular meeting to be held on Monday, September 19, 2005. A full report will be included in the September 19, 2005, agenda material for your consideration.

Respectfully submitted,


Darlene L. Burcham
City Manager

DLB/sm

c: William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
Jesse A. Hall, Director of Finance
Sarah E. Fitton, Engineering Coordinator



CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

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September 6, 2005

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of Council:

Subject: Request to Schedule a Public
Hearing

Background:

The Musselwhite Holdings, L.L.C. has requested an air rights lease for space at 301 Jefferson Street, S.W. (tax number 1011805). The air right lease is to install balconies along the Kirk Avenue side of the property. The lease term requested is for a sixty-year period. A public hearing is required to consider this lease term.

Recommended Action:

Authorize the scheduling and advertising of this matter for a public hearing on September 19, 2005.

Respectfully submitted,

A handwritten signature in cursive script, reading "Darlene Burcham".

Darlene L. Burcham
City Manager

DLB:lpp

c: Mary F. Parker, City Clerk
Jesse A. Hall, Director of Finance
William M. Hackworth, City Attorney

1727 Staunton Ave., NW
Roanoke, VA 24017
August 9, 2005

Mrs. Kathy G. Stockburger, Chairman
Roanoke City School Board
40 Douglas Avenue, NE
Roanoke, VA 24012

Dear Mrs. Stockburger:

This is to officially inform you of my intentions to resign my position as a Trustee of the Roanoke City School Board. Due to additional familial, personal, and professional demands, I am unable to give the time that is needed for this position.

This resignation will become effective on Monday, August 15, 2005, at the end of the joint School Board and City Council meeting.

A copy of this letter will be sent to the Board Clerk, Ms. Cindy Lee and personal contact will be made to Mayor Harris and Vice Mayor Fitzpatrick, prior to our meeting on Monday.

I thank you and all the other board members for all you do and will continue to do for all the children who attend Roanoke City Public Schools.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Gloria P. Manns".

Gloria P. Manns

Cc: Cindy Lee, Clerk
Roanoke City School Board

GLENN
FELDMANN
DARBY &
GOODLATTE

HARWELL M. DARBY, JR.
Direct Dial (540) 224-8006
E-mail hdarby@gfdg.com

210 1st Street S.W.
Suite 200
Post Office Box 2887
Roanoke, Virginia 24001
540.224.8000
Fax 540.224.8050
gfdg@gfdg.com

August 11, 2005

HAND DELIVERED

Mary F. Parker
City Clerk, City of Roanoke, Virginia
456 Municipal Building
215 Church Avenue, S.W.
Roanoke, VA 24011

RE: Industrial Development Authority of the City of Roanoke, Virginia

Dear Mary:

I am delivering with this letter the Fifth Annual Report of the Industrial Development Authority of the City of Roanoke, Virginia.

Very truly yours,



Harwell M. Darby, Jr.

HMDJR:lww:0042000

Enclosures:

Fifth Annual Report of the Industrial Development Authority
Minutes of all meetings of the Industrial Development Authority

cc: Directors, Industrial Development Authority
(with report enclosed)



Fifth Annual Report

The Industrial Development Authority of the City of Roanoke, Virginia

To: The Members of Council of the City of Roanoke

Name and Organization:

The Industrial Development Authority of the City of Roanoke, Virginia was organized pursuant to ordinance adopted by the City Council October 21, 1968. It has been in continuous operation and has assisted the City's economic development efforts in meeting to approve of small issue and 501(c)3 industrial development revenue bond financings.

Membership:

There are seven members of the IDA which are appointed by Council for 3 year terms. As of the date of filing of this report the membership, officers and terms of the directors are as follows:

<u>Name</u>	<u>Office</u>	<u>Expiration of Term</u>
Dennis R. Cronk	Chairman	October 20, 2006
Charles E. Hunter, III	Vice Chairman	October 20, 2008
A. Damon Williams	Treasurer	October 20, 2006
Linda Davis Frith		October 20, 2007
F. Gordon Hancock		October 20, 2007
S. Deborah Oyler		October 20, 2005
Stuart Revercomb		October 20, 2008

Staffing:

The IDA uses the City of Roanoke Economic Development Department's staff and works in close conjunction with the Director of Economic Development.

The IDA has determined to establish a regular meeting date the second Wednesday of every month. The meeting dates for the remainder of this fiscal year are August 10, 2005, September 14, 2005, October 12, 2005, November 9, 2005, December 14, 2005, January 11, 2006, February 8, 2006, March 8, 2006, April 12, 2006, May 10, 2006 and June 14, 2005. The meetings are held at 8:00 a.m. at the City of Roanoke, Department of Economic Development, 111 Franklin Plaza, Roanoke, Virginia.

For the fiscal year ended June 30, 2005 the IDA held 6 meetings; it's average attendance was 5, the attendance of the various members is as follows:

ATTENDANCE ROSTER
Industrial Development Authority

Directors	07/14/04	10/01/04	11/10/04	12/08/04	03/9/05	05/11/05
Dennis R. Cronk	Present	Present	Present	Present	Present	Absent
F. Gordon Hancock	Present	Present	Present	Present	Absent	Present
Charles E. Hunter, III	Present	Present	Present	Present	Present	Present
Linda Davis Frith	Present	Present	Present	Present	Absent	Absent
S. Deborah Oyler	Present	Absent	Absent	Present	Present	Present
A. Damon Williams	Present	Present	Present	Present	Present	Present
Stuart Revercomb	N/A	N/A	N/A	N/A	N/A	Present

Notes:

Mr. Bova resigned his term of office in January, 2004 and he was replaced by Mr. Revercomb in April, 2005.

Activities in Fiscal Year 2004-2005:

This year the IDA:

- Approved the funding of façade grants as follows:
Kevin P. Janney, Jr. for \$25,000.00;
CA-2 Investments, LLC for \$30,000.00;
Habitat for Humanity for \$31,227.00;
Fleet Transmissions, Inc. for \$13,500.00;
Hunter C. and Gayle B. Merrill for \$8,900.00;
One City Plaza, LLC for \$25,000.00;
Roanoke Redevelopment & Housing Authority for \$25,000.00;
Stephen Musselwhite for \$24,453.00; and
Robert Fetzer for \$25,000.00.
- Approved the Memorandum of Understanding with IMD Investment Group, L.L.C.
- Approved the Performance Agreement between the City and IMD Investment Group in the amount of \$9,000,000.00.
- Assisted Virginia Transformer Corp. in modification and refinancing of its 1989 bond issue of \$4,400,000.00.
- Approved the Performance Agreement between the City and Freight Car Roanoke in the amount of \$400,000.00

- Received regular briefings on economic activities from the Economic Development Department of the City of Roanoke.

The IDA looks forward to continuing its close partnership in economic development with the City of Roanoke and stands ready to work as a full economic development partner with other members of the City's team.

Respectfully submitted.

Date:

8/10/05


Dennis R. Cronk, Chairman

Fifth Annual Report

The Industrial Development Authority of the City of Roanoke, Virginia

To: The Members of Council of the City of Roanoke

Name and Organization:

The Industrial Development Authority of the City of Roanoke, Virginia was organized pursuant to ordinance adopted by the City Council October 21, 1968. It has been in continuous operation and has assisted the City's economic development efforts in meeting to approve of small issue and 501(c)3 industrial development revenue bond financings.

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There are seven members of the IDA which are appointed by Council for 3 year terms. As of the date of filing of this report the membership, officers and terms of the directors are as follows:

<u>Name</u>	<u>Office</u>	<u>Expiration of Term</u>
Dennis R. Cronk	Chairman	October 20, 2006
Charles E. Hunter, III	Vice Chairman	October 20, 2008
A. Damon Williams	Treasurer	October 20, 2006
Linda Davis Frith		October 20, 2007
F. Gordon Hancock		October 20, 2007
S. Deborah Oyler		October 20, 2005
Stuart Revercomb		October 20, 2008

Staffing:

The IDA uses the City of Roanoke Economic Development Department's staff and works in close conjunction with the Director of Economic Development.

The IDA has determined to establish a regular meeting date the second Wednesday of every month. The meeting dates for the remainder of this fiscal year are August 10, 2005, September 14, 2005, October 12, 2005, November 9, 2005, December 14, 2005, January 11, 2006, February 8, 2006, March 8, 2006, April 12, 2006, May 10, 2006 and June 14, 2005. The meetings are held at 8:00 a.m. at the City of Roanoke, Department of Economic Development, 111 Franklin Plaza, Roanoke, Virginia.

For the fiscal year ended June 30, 2005 the IDA held 6 meetings; it's average attendance was 5, the attendance of the various members is as follows:

ATTENDANCE ROSTER
Industrial Development Authority

Directors	07/14/04	10/01/04	11/10/04	12/08/04	03/9/05	05/11/05
Dennis R. Cronk	Present	Present	Present	Present	Present	Absent
F. Gordon Hancock	Present	Present	Present	Present	Absent	Present
Charles E. Hunter, III	Present	Present	Present	Present	Present	Present
Linda Davis Frith	Present	Present	Present	Present	Absent	Absent
S. Deborah Oyler	Present	Absent	Absent	Present	Present	Present
A. Damon Williams	Present	Present	Present	Present	Present	Present
Stuart Revercomb	N/A	N/A	N/A	N/A	N/A	Present

Notes:

Mr. Bova resigned his term of office in January, 2004 and he was replaced by Mr. Revercomb in April, 2005.

Activities in Fiscal Year 2004-2005:

This year the IDA:

- Approved the funding of façade grants as follows:
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Robert Fetzer for \$25,000.00.
- Approved the Memorandum of Understanding with IMD Investment Group, L.L.C.
- Approved the Performance Agreement between the City and IMD Investment Group in the amount of \$9,000,000.00.
- Assisted Virginia Transformer Corp. in modification and refinancing of its 1989 bond issue of \$4,400,000.00.
- Approved the Performance Agreement between the City and Freight Car Roanoke in the amount of \$400,000.00

- Received regular briefings on economic activities from the Economic Development Department of the City of Roanoke.

The IDA looks forward to continuing its close partnership in economic development with the City of Roanoke and stands ready to work as a full economic development partner with other members of the City's team.

Respectfully submitted.

Date: _____

Dennis R. Cronk, Chairman

City of Roanoke
INDUSTRIAL DEVELOPMENT AUTHORITY
MINUTES
July 14, 2004

Directors present: Dennis R. Cronk, Linda Davis Frith, F. Gordon Hancock, C. E. Hunter, S. Deborah Oyler, and A. Damon Williams.

Also present at the meeting were Elizabeth A. Neu, Director, City of Roanoke Department of Economic Development, Susan Mew, Enterprise Zone Administrator and Harwell M. Darby, Jr., Counsel to the Authority.

Chairman Dennis Cronk called the meeting to order at 8:00a.m. and declared that a quorum was present.

On motion by Mr. Hancock and seconded by Mr. Williams, the Authority unanimously approved the minutes of the June 6, 2004 meeting.

Ms. Neu provided the directors with a report on the financial status of the Authority through May 31, 2004.

Mr. Cronk presented the two responses received by the Authority for auditing services. On motion by Mr. Hancock by Mr. Hunter, on a vote of 6-0, the Authority chose Foti, Flynn, Lowen & Co. as its auditors for the next year with options to extend for two additional years. Mr. Darby is instructed to notify both auditing firms and to arrange for Foti, Flynn, Lowen & Co to fulfill the Authority's audit requirements.

Susan Mew, Enterprise Zone Administrator informed the directors of the award of the City's (central city) Enterprise Zone designation. Two requests for Façade Grants at 109 First Street and at 101-105 First Street were deferred until the next meeting of the Authority. On motion by Mr. Hancock, seconded by Ms. Oyler, the Authority voted 6-0 to approve a Façade Grant to Kenneth P. Janney, Jr. for a building at 1319 Norfolk Ave., S.E. On motion by Mr. Hancock, seconded by Ms. Frith, the Authority voted 6-0 to turn down a request for a Façade Grant from Aubrey G. Nichols for improvements already being made to the Old Wasena Ice House at 806 Wasena Ave., S.W.

The next meeting is scheduled for 8:00 a.m. August 11, 2004.

There being no further business, Mr. Cronk adjourned the meeting at 9:00 a.m.

MINUTES OF A SPECIAL MEETING
INDUSTRIAL DEVELOPMENT AUTHORITY
City of Roanoke, Virginia

October 1, 2004

Directors present: Dennis R. Cronk, Linda Davis Frith, F. Gordon Hancock, C. E. Hunter and A. Damon Williams.

Directors absent: S. Deborah Oyler

Also present at the meeting were Elizabeth A. Neu, Director, City of Roanoke Department of Economic Development, Linda Bass, Economic Development Specialist, Brian Townsend, City of Roanoke, Director of Planning and Director of Economic Development Designate, Darlene Burcham, City Manager and Harwell M. Darby, Jr., Counsel to the Authority,

Chairman Dennis Cronk called the meeting to order at 8:00 a.m. and declared that a quorum was present.

On motion by Mr. Hunter and seconded by Mr. Williams, the Authority went into a Closed Meeting to discuss a matter relating to a business as to which no previous public announcement had been made of its intent to locate or expand in the community pursuant to §2.2-3711 A.5. of the Code of Virginia, 1950 as amended; and was unanimously adopted.

The Authority then went into Closed Meeting.

On motion by Mr. Hunter, seconded by Ms. Frith, the Authority came back into open session.

On motion by Mr. Hunter and seconded by Mr. Williams, the Authority took a roll call vote certifying that only legally exempted matters covered by the Closed Meeting motion were taken up in Closed Meeting.

Roll Call vote:

	<u>Vote</u>
Dennis R. Cronk	Aye
Linda Davis Frith	Aye
F. Gordon Hancock	Aye
C. E. Hunter	Aye
A. Damon Williams	Aye

On motion by Mr. Hancock and seconded by Mr. Williams, the Authority adopted the attached resolution approving a Memorandum of Understanding presented in the Closed Meeting.

On motion by Mr. Hancock and seconded by Mr. Williams, the Authority unanimously approved the minutes of the July 14, 2004 meeting.

Ms. Neu provided the directors with a report on the financial status of the Authority through August 31, 2004.

Linda Bass, Economic Development Specialist, presented to the Directors a request for a Façade Grant for property located at 22 Campbell Avenue by CA-2 Investments LLC for \$30,000 for a new aluminum store front, new black spandrel glass façade, pressure washing the storefront and rebuilding a parapet as necessary and repointing all brick. On Motion by Mr. Williams, seconded by Mr. Hunter, the Authority voted 4-0 to approve such Façade Grant, Chairman Dennis Cronk recusing himself after disclosing that his real estate firm had previously received a commission on the sale of the building to the current owners.

The next meeting is scheduled for 8:00 a.m. on November 10, 2004.

There being no further business, Mr. Cronk adjourned the meeting at 9:20 a.m.

MINUTES Of A REGULAR MEETING
INDUSTRIAL DEVELOPMENT AUTHORITY
City of Roanoke, Virginia

November 10, 2004

Directors present: Dennis R. Cronk, Linda Davis Frith, F. Gordon Hancock, C. E. Hunter and A. Damon Williams.

Directors absent: S. Deborah Oyler

Also present at the meeting were Elizabeth A. Neu, Director, City of Roanoke Department of Economic Development, Linda Bass, Economic Development Specialist, Brian Townsend, City of Roanoke, Director of Planning and Director of Economic Development Designate, Glenna Ratcliffe, Secretary and Harwell M. Darby, Jr., Counsel to the Authority,

Chairman Dennis Cronk called the meeting to order at 8:00 a.m. and declared that a quorum was present.

On motion by Mr. Hancock and seconded by Mr. Williams, the Authority unanimously approved the minutes of the October 1, 2004 special meeting.

Ms. Neu provided the directors with a report on the financial status of the Authority through October 31, 2004.

Linda Bass, Economic Development Specialist, presented to the Directors a request from Habitat for Humanity in the Roanoke Valley, Inc. for three Façade Grants based on improvements in the aggregate amount of \$31,227 for exterior painting, construction and installation of an entry foyer and vestibule and other improvements for property located at 340 and 409 Salem Avenue. On Motion by Mr. Hunter, seconded by Mr. Williams, the Authority voted 6-0 to approve a Façade Grant based on the portions of the improvements that face on Salem and on Norfolk Avenues. She also presented to the Directors a request from Fleet Transmissions, Inc. for a Façade Grant based on improvements in the aggregate amount of \$40,501.66 for exterior improvements for property located at 1325 Williamson Road. On Motion by Mr. Hunter, seconded by Mr. Hancock, the Authority voted 6-0 to approve a Façade Grant in the amount of \$13,500 for such application.

The next meeting is scheduled for 8:00 a.m. on December 8, 2004.

There being no further business, Mr. Cronk adjourned the meeting at 9:20 a.m.

/ D.A. bent

MINUTES OF A REGULAR MEETING
INDUSTRIAL DEVELOPMENT AUTHORITY
City of Roanoke, Virginia

December 8, 2004

Directors present: Dennis R. Cronk, Linda Davis Frith, F. Gordon Hancock, C. E. Hunter, A. Damon Williams and S. Deborah Oyler.

Also present at the meeting were Brian Townsend, Acting Director, City of Roanoke Department of Economic Development, Linda Bass, Economic Development Specialist, Glenna Ratcliffe, Secretary and Harwell M. Darby, Jr., Counsel to the Authority.

Chairman Dennis Cronk called the meeting to order at 8:00 a.m. and declared that a quorum was present.

On motion by Mr. Hancock and seconded by Mr. Williams, the Authority unanimously approved the minutes of the November 10, 2004 regular meeting.

Linda Bass, Economic Development Specialist, presented to the Directors a request from Hunter C. and Gayle B. Merrill for a Façade Grant based on improvements in the aggregate amount of \$30,539 for application of dryvit and for exterior painting for property located at 501 Shenandoah Avenue. On Motion by Mr. Hunter, seconded by Mr. Williams, the Authority voted 6-0 to approve a Façade Grant based on the portions of the improvements that face on Shenandoah Avenue and on Fifth Street in the amount up to of \$ 8,900. Ms. Bass also presented to the Directors a request from One City Plaza, LLC. for a Façade Grant based on improvements in the aggregate amount of \$96,710 for exterior improvements for property located at 312 2nd Street, S.W.. On Motion by Mr. Hunter, seconded by Mr. Hancock, the Authority voted 6-0 to approve a Façade Grant in an amount not to exceed \$25,000 subject to review by staff for compliance and available funding.

On motion by Mr. Hunter, seconded by Mr. Hancock, the Authority unanimously adopted a formal resolution ratifying the Performance Agreement dated November 18, 2004 with the City of Roanoke and IMD Investment Group.

The next meeting is scheduled for 8:00 a.m. on January 12, 2005.

There being no further business, Mr. Cronk adjourned the meeting at 8:50 a.m.

MINUTES OF A REGULAR MEETING
INDUSTRIAL DEVELOPMENT AUTHORITY
City of Roanoke, Virginia

March 9, 2005

Directors present: Dennis R. Cronk, C. E. Hunter, A. Damon Williams and S. Deborah Oyler.

Directors absent: Linda Davis Frith and F. Gordon Hancock.

Also present at the meeting were Brian Townsend, Acting Director, City of Roanoke Department of Economic Development, Chris Copenhaver, Economic Development Specialist, Glenna Ratcliffe, Secretary and Harwell M. Darby, Jr., Assistant Secretary and Counsel to the Authority.

Chairman Dennis Cronk called the meeting to order at 8:00 a.m. and declared that a quorum was present.

On motion by Ms. Oyler and seconded by Mr. Williams, the Authority unanimously approved the minutes of the December 8, 2004 regular meeting.

On motion by Mr. Williams and seconded by Mr. Hunter, the Authority received the financial report prepared as of February 28, 2005.

On motion by Mr. Williams, seconded by Mr. Hunter, the Authority unanimously adopted a formal resolution approving a Substitute Letter of Credit supporting the outstanding principal balance of the Authority's \$4,400,000 Industrial Development Revenue Bonds (Virginia Transformer Corp. Project) and related amendments to the bond documents.

The next meeting is scheduled for 8:00 a.m. on April 13, 2005.

There being no further business, Mr. Cronk adjourned the meeting at 8:30 a.m.

Attachments (2):

- 1) Financial Report 02-28-05
- 2) Resolution

FINANCIAL REPORT
02-01-05 through 02-28-05

Checking Account

Statement Period: 02-01-05 through 02-28-05

Number of Deposits/Credits	0
Number of Withdrawals/Debits	1

Statement Beginning Balance	\$ 929.63
Amount of Deposits/Credits	0
Amount of Withdrawals/Debits	0

Statement Ending Balance	\$ 917.63
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Investment Account

Statement Period: 02-01-05 through 02-28-05

Number of Deposits/Credits	1
Number of Withdrawals/Debits	0

Statement Beginning Balance	\$10,407.38
Amount of Deposits/Credits	7.58

Statement Ending Balance	10,414.96
Interest Information	

Amount of Interest Paid	\$ 7.58
Annual Percentage Yield Earned	
This Statement Period	0.95%
Interest Paid Year-to-Date	14.72

**RESOLUTION OF THE
INDUSTRIAL DEVELOPMENT AUTHORITY OF
THE CITY OF ROANOKE, VIRGINIA**

WHEREAS, the Industrial Development Authority of the City of Roanoke, Virginia, a political subdivision of the Commonwealth of Virginia (the "Authority"), is empowered by the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended (the "Act"), to, among other things, issue its revenue bonds in accordance with the applicable provisions of the Act and assist manufacturing companies in the financing of qualified projects, thereby promoting the commerce, safety, health, welfare, convenience and prosperity of the residents of the Commonwealth of Virginia (the "Commonwealth").

WHEREAS, the Authority has previously issued its \$4,400,000 Industrial Development Revenue Bond (Virginia Transformer Corp. Project) as of September 1, 1989 (the "Bonds") for the benefit of Virginia Transformer Corp., a Virginia corporation (the "Company") pursuant to an Indenture of Trust, dated as of September 1, 1989 (the "Indenture"), by and between the Issuer and Wachovia Bank, National Association (as successor to Dominion Trust Company) (the "Original Trustee"), and has lent the proceeds of the sale of the Bonds to the Company in order to finance the acquisition, construction and equipping of the Company's manufacturing facility located at 220 Glade View Drive, Roanoke, Virginia, together with related costs and expenses (the "Project").

WHEREAS, the outstanding principal amount of the Bonds as of the date hereof is approximately \$1,590,000, and the final maturity date of the Bonds is September 1, 2014.

WHEREAS, as security for the payment of the outstanding principal amount of the Bonds, the Company has requested SunTrust Bank, a Georgia banking corporation (the "Bank") to issue its irrevocable letter of credit as a "Substitute Letter of Credit" under the Indenture (the "Substitute Letter of Credit").

WHEREAS, in connection with the foregoing, the Company has requested that the Authority assist it by approving the provision of the Substitute Letter of Credit and certain actions related thereto, including (1) certain modifications to the Indenture necessary to allow the Bonds to become eligible for registration with the Depository Trust Company and to ensure compatibility with the standard provisions of the variable rate demand bond placement program implemented by SunTrust Capital Markets, Inc. (the "Remarketing Agent") for debt obligations secured by letters of credit issued by the Bank, (2) the replacement of the Original Trustee by SunTrust Bank, as successor trustee (the "Trustee"), (3) the replacement of the original remarketing agent for the Bonds by the Remarketing Agent, and (4) the distribution of a supplement to the offering materials prepared in connection with the issuance of the Bonds in order to reflect the foregoing.

WHEREAS, there have been presented to this meeting the basic terms of the proposed modification to the existing financing arrangement and summaries or forms of the following instruments which the Authority proposes to execute or approve to carry out the purposes

described herein, copies of which instruments shall be filed with the records of the Authority (collectively, the "Modification Documents"):

(a) First Supplemental Indenture of Trust (the "Supplemental Indenture") between the Authority and the Trustee pursuant to which the Indenture is modified in certain respects (the Supplemental Indenture and the Indenture together shall be hereafter referred to as the "Indenture").

(b) The Supplement to the Private Offering Memorandum prepared in connection with the offering and sale of the Bonds (the "Supplement").

WHEREAS, the Bonds shall be payable solely from and secured by the Substitute Letter of Credit and certain funds available under the Indenture of Trust or otherwise provided by the Company. The Bonds will not constitute a general obligation debt of the Commonwealth of Virginia or any political subdivision thereof, including the City of Roanoke, Virginia (the "City") or the Authority, or a pledge of the faith and credit of taxing power of the Commonwealth of Virginia, the City or the Authority.

WHEREAS, the Authority now desires to approve the Modification Documents and the transactions contemplated thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF ROANOKE, VIRGINIA:

1. The Authority approves the Modification Documents, all substantially in the forms previously presented to the Authority and its counsel, each with such additional completions, omissions, insertions and changes as may be approved by counsel to the Authority and by the Chairman or the Vice Chairman of the Authority, whose approval shall be evidenced conclusively by the execution and delivery of such Modification Documents. The execution, delivery and performance by the Authority of its obligations under the Modification Documents to which it is a party is authorized and hereby approved. The form of, use and distribution of the Supplement is hereby approved. The Authority hereby acknowledges receipt of or waives (to the extent within its control), any further procedural or notice requirements in connection with the execution and delivery of the Modification Documents and the transactions contemplated hereby. The Authority acknowledges that the Company will enter into a remarketing agreement and a letter of credit agreement with the Remarketing Agent and the Bank, respectively, in connection with the provision of the Substitute Letter of Credit by the Bank, but the Authority will not be a party to such agreements.

2. The Authority hereby authorizes its Chairman or Vice Chairman to execute and deliver the Modification Documents to which the Authority is a party. If required, the Secretary of the Authority is authorized and directed to affix the seal of the Authority to the Modification Documents, and to attest such seal. The signatures of the Chairman or Vice Chairman and the Secretary and the seal of the Authority may be by facsimile.

3. Each officer of the Authority is authorized and directed to execute and deliver on behalf of the Authority such other instruments, documents or certificates, including but not limited to, a general certificate, a letter of representations of the Authority and a replacement Bond to the extent necessary to reflect the transactions contemplated hereby, and to do and perform such other things and acts, as they shall deem necessary or appropriate to carry out the transactions authorized by this Resolution or contemplated by the Bonds and the Modification Documents, including with respect to the registration of the Bonds for eligibility with the Depository Trust Company, all in form and substance as shall be approved by approved by counsel to the Authority and by the Chairman or the Vice Chairman of the Authority, whose approval shall be evidenced conclusively by the execution and delivery of the Supplemental Indenture. All of the foregoing previously done or performed by such officers of the Authority in furtherance of the foregoing, are in all respects approved, ratified and confirmed.

4. All other acts of the Chairman and Vice Chairman and other officers, agents or representatives of the Authority that are in conformity with the purposes and intent of this Resolution and in furtherance of the transactions contemplated by the Modification Documents are hereby approved and ratified. All prior actions previously undertaken by the Authority with respect to the issuance of the Bonds and the financing of the acquisition, construction, and equipping of the Project are hereby ratified, reaffirmed and approved.

5. The Authority hereby approves the selection by the Company of (a) SunTrust Bank as the provider of the Substitute Letter of Credit and as replacement Trustee, (b) SunTrust Capital Markets, Inc, as the replacement Remarketing Agent, and (c) LeClair Ryan, A Professional Corporation, as Bond Counsel in connection with the transactions contemplated hereby.

6. The Chairman, Vice-Chairman, and Secretary of the Authority, and such other officers, employees and agents as one or more of the foregoing may designate, are authorized and directed to take such further actions and to execute and deliver any and all instruments, certificates and other documents required to carry out the purposes of this Resolution.

7. The recitals and preamble set forth herein shall be deemed findings of the Authority and a part of this Resolution. This resolution shall take effect immediately.

[Remainder of Page Intentionally Left Blank]

Amidant

The undersigned ~~Clerk~~ Secretary of the Industrial Development Authority of Roanoke, Virginia, hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Authority held on March 9, 2005, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that, during the consideration of the foregoing resolution, a quorum was present. Members present at the meeting were: as listed below. Members absent from the meeting were: as listed below. Members voting in favor of the foregoing resolution were: as listed below. Members voting against the foregoing resolution were: as listed below. Members abstaining from voting on the foregoing resolution were: as listed below.

MEMBER NAME	PRESENT	ABSENT	VOTING		
			YES	NO	ABSTAINING
Dennis R. Cronk	✓		✓		
Linda Frith		✓			
Charles E. Hunter, III	✓		✓		
S. Deborah Oyler	✓		✓		
A. Damon Williams	✓		✓		
F. Gordon Hancock		✓			

WITNESS MY HAND and the seal of the Industrial Development Authority of the City of Roanoke, Virginia as of March 9, 2005.

Amidant

 Clerk / Secretary
Amidant

[SEAL]

**MINUTES of a REGULAR MEETING
INDUSTRIAL DEVELOPMENT AUTHORITY
of the CITY OF ROANOKE, VIRGINIA**

May 11, 2005

Directors present: F. Gordon Hancock, C. E. Hunter, S. Deborah Oyler, Stuart Revercomb and A. Damon Williams

Directors absent: Linda Davis Frith and Dennis R. Cronk.

Also present at the meeting were Brian Townsend, Acting Director, City of Roanoke Department of Economic Development, Linda Bass, Economic Development Specialist, Glenna Ratcliffe, Secretary and Harwell M. Darby, Jr., Assistant Secretary and Counsel to the Authority.

Vice-Chairman C. E. Hunter called the meeting to order at 8:00 a.m. and declared that a quorum was present.

On motion by Ms. Oyler and seconded by Mr. Williams, the Authority unanimously approved the minutes of the March 9, 2005 regular meeting.

On motion by Mr. Williams and seconded by Mr. Hunter, the Authority received the financial report prepared as of April 30, 2005.

On motion by Mr. Williams, seconded by Mr. Hancock, the Authority unanimously adopted a formal resolution approving a Performance Agreement with the City of Roanoke and FreightCar Roanoke, Inc.

Brian Townsend reviewed for the IDA the status of the IMD Investment Group, Maple Leaf and the Johnson & Johnson performance agreements and other economic development initiatives.

The next meeting is scheduled for 8:00 a.m. on July 13, 2005.

There being no further business, Mr. Hunter adjourned the meeting at 8:45 a.m.

Attachments (2):

- 1) Financial Report 04-30-05
- 2) Resolution

FINANCIAL REPORT
04-01-05 through 04-30-05

Checking Account

Statement Period: 04-01-05 through 04-30-05

Number of Deposits/Credits	1	
Number of Withdrawals/Debits	4	
Statement Beginning Balance		\$ 6,440.63
Amount of Deposits/Credits	0	162,705.21
Amount of Withdrawals/Debits	0	168,692.21
Statement Ending Balance		\$ 453.63

Investment Account

Statement Period: 04-01-05 through 04-30-05

Number of Deposits/Credits	1	
Number of Withdrawals/Debits	1	
Statement Beginning Balance		\$10,423.36
Amount of Deposits/Credits		6.75
Amount of Withdrawals		1,487.20
Statement Ending Balance		8,942.91
Interest Information		
Amount of Interest Paid	\$ 6.75	
Annual Percentage Yield Earned		
This Statement Period	0.84%	
Interest Paid Year-to-Date	29.87	

Dated: May 11, 2005

**RESOLUTION OF THE
INDUSTRIAL DEVELOPMENT AUTHORITY
OF THE CITY OF ROANOKE, VIRGINIA**

WHEREAS, the City of Roanoke, Virginia has made a commitment to FreightCar Roanoke, Inc., a Delaware corporation, authorized to transact business in Virginia, ("FreightCar Roanoke") to provide a grant through the Industrial Development Authority of the City of Roanoke, Virginia (the "Authority") of up to Four Hundred Thousand Dollars (\$400,000) to be paid as follows:

A \$200,000 Governor's Opportunity Fund Grant to reimburse FreightCar Roanoke for the eligible tenant renovations or improvements for the real property located in the Norfolk Southern East End Shops ("Facility") which is located within the City of Roanoke in order to expand FreightCar Roanoke's ability to produce rail cars starting on January 1, 2005, and made on or before April 30, 2008; and

An additional amount up to \$135,000 in order to provide assistance in providing improvements and equipment for the Project; and

An additional amount up to \$65,000 for job grants.

WHEREAS, there has been presented to the Board of Directors a Performance Agreement carrying out the terms of the City's grant offer to FreightCar Roanoke and to which the Authority is a party for purposes of serving as a conduit for the grant in accordance with the provisions of Virginia Code § 15.2-953; and


WHEREAS, the Authority has been informed by its attorney that the Performance Agreement is in order and consistent with federal and state law as well as with the intent of the City to make a grant to FreightCar Roanoke.

NOW THEREFORE, the Directors of the Industrial Development Authority of the City of Roanoke, Virginia do hereby FIND that entering into the Performance Agreement and that making the grants described in the Performance Agreement are for the purposes of promoting economic development and are in furtherance of the purposes for which the Authority was organized; and further FIND that such grants to FreightCar Roanoke are in furtherance of the purposes of the Virginia Industrial Development and Revenue Bond Act, being Chapter 49 of Title 15.2 of the Code of Virginia, 1950, as amended, including the purposes of promoting economic development, and that such grants or other financial assistance are to be made from revenues of the Authority which have not been pledged or assigned for the payment of any of the Authority's bonds, that the funds to be received by the Authority from the City pursuant to the Performance Agreement are described by the word "revenues" set out in subdivisions 12 and 13 of Virginia Code §15.2-4905; and the directors do hereby approve the Performance Agreement presented to them at this meeting and do hereby direct the officers of the Authority to execute and deliver the same and to take all such further action as may be necessary, convenient or expedient to carry out the terms of the Performance Agreement and the spirit and intent of this Resolution and of the City's grant to FreightCar Roanoke.

This resolution shall take effect immediately.

The undersigned, Harwell M. Darby, Jr., Assistant Secretary to the Industrial Development Authority of the City of Roanoke, Virginia does hereby certify that the foregoing is a true, correct and complete Resolution adopted by the affirmative vote of 5 members of the Industrial Development Authority of the City of Roanoke, Virginia at a special meeting of the Authority duly called and held on May 11, 2005.

Date: May 11, 2005



Harwell M. Darby, Jr., Assistant Secretary

(SEAL)

026
IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE authorizing the lease of 17,253 usable (19,841 rentable) square feet of office and related space located within City-owned property known as the Commonwealth Building for a term of up to ten years subject to a provision whereby either party may terminate the lease after five years, without cause, upon two years written notice; authorizing the appropriate City officials to execute a Lease Agreement therefore; and dispensing with the second reading of this ordinance by title.

WHEREAS, the City has, by advertisement published once a week for two consecutive weeks in a paper of general circulation published in the City, publicly invited bids for the award of a lease agreement for 17,253 usable (19,841 rentable) square feet of office space located inside the Commonwealth Building located at 220 Church Avenue, SW, Roanoke, VA, 24011 ("Property");

WHEREAS, _____ bids for the lease extension were received and publicly opened at the Council meeting held on September 6, 2005;

WHEREAS, the bid of _____, to be awarded the lease of certain space located in the Property for a term of up to ten years, subject to a provision whereby either party may terminate the lease after five years, without cause, upon two years written notice, was publicly opened at the Council meeting on September 6, 2005;

WHEREAS, at such Council meeting, a public hearing was held at which all persons were accorded a full and fair opportunity to comment with respect to the proposed lease of office space; and

WHEREAS, Council found the bid of _____, was the highest and most responsive bid made to the City for such office space, and Council is desirous of accepting this bid.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. The bid of _____, to lease from the City 17, 253 usable (19,841 rentable) square feet of space located in the Commonwealth Building, lying at 220 Church Avenue, S.W., 24011, for a term of up to ten years, subject to a provision whereby either party may terminate the agreement without cause after the first five years and upon two years written notice, for use as office space, commencing on _____, 2005, or as soon as all legal requirements have been met, for an annual rental fee of _____ for each of the first five years and ____ for each of the remaining five years, is hereby ACCEPTED.

2. The City Manager and City Clerk are hereby authorized, for and on behalf of the City, to execute a lease agreement between the City and _____ for the Property, and to be in a form approved by the City Attorney. The Lease Agreement shall be for a term of up to ten years, subject to a provision whereby either party may terminate the lease without cause after the first five years and upon two years written notice, commencing on _____, 2005, or as soon as all legal requirements have been met, for an annual rental fee of _____ for each of the first five years and ____ for each of the remaining five years.

3. Any other bids received for this project are hereby REJECTED, and the City Clerk is directed to so notify each such bidder and to express to each the City's appreciation for such bids.

4. The City Manager is further authorized to file such further action and/or execute such further documents as may be necessary to implement and administer such agreement.

5. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



C. NELSON HARRIS
Mayor

CITY OF ROANOKE OFFICE OF THE MAYOR

215 CHURCH AVENUE, S.W., ROOM 452
ROANOKE, VIRGINIA 24011-1594
TELEPHONE: (540) 853-2444
FAX: (540) 853-1145

September 6, 2005

The Honorable Vice-Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Vice-Mayor Harris and Members of Council:

Keeping in mind the number of Keys to the City that are presented annually by the Members of Council, and due to the escalating cost and the significance of the Key to the City, I believe that the City of Roanoke has reached a point where an established criteria for awarding Keys should be considered and adopted by the Council.

Therefore, the following is proposed for your consideration:

The Key to the City of Roanoke will be awarded only in the following instances:

- Persons who have achieved national recognition and/or serve as presidents of national organizations/institutions, etc.
- Retiring elected officials
- Retiring top City officials
- Citizen of the Year

As you know, on behalf of the Council, the City Clerk's Office maintains an inventory of various types of gifts that may be awarded in lieu of the Key to the City. Some of the gifts include the City's new branding logo or the City Seal. I have also asked the City Clerk to develop a Distinguished Service Medallion that could be awarded by the Members of Council to deserving citizens and/or guests to our City.

Your favorable consideration of the above criteria for awarding Keys to the City will be appreciated.

Sincerely,

C. Nelson Harris
Mayor

CNH/MFP:snh

pc: Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Mary F. Parker, City Clerk



C. NELSON HARRIS
Mayor

CITY OF ROANOKE

CITY COUNCIL

215 Church Avenue, S.W.
Noel C. Taylor Municipal Building, Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

Council Members:
M. Rupert Cutler
Alfred T. Dowe, Jr.
Beverly T. Fitzpatrick, Jr.
Sherman P. Lea
Brenda L. McDaniel
Brian J. Wishneff

September 6, 2005

The Honorable Members
of Roanoke City Council
Roanoke, Virginia

Dear Members of Council:

At the regular meeting of City Council to be held on Tuesday, September 6, 2005, at 2:00 p.m., we jointly sponsor a request of Sandra R. McMinnis, to present information on the new Hall Associates Career & Employment Assistance Center at Virginia Western Community College.

Sincerely,

A handwritten signature in black ink that reads "C. Nelson Harris".

C. Nelson Harris, Mayor

A handwritten signature in black ink that reads "Beverly T. Fitzpatrick, Jr.".

Beverly T. Fitzpatrick, Jr., Vice Mayor

CNH/BTFj:snh

pc: Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Mary F. Parker, City Clerk



CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

September 6, 2005

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of City Council:

Subject: Acceptance of the Roanoke
City Victim Program Grant
CO05-0005

I concur with the recommendation from Donald Caldwell, Commonwealth Attorney, for the City of Roanoke, with respect to the subject reference above and recommend that City Council Accept the Victim/Witness Grant providing \$25,671 as a local cash match from the monies provided in the Transfer to Grant Fund Account in the FY 05-06 budget for a total grant of \$140,788.

Sincerely,

A handwritten signature in black ink, reading "Darlene Burcham". The signature is fluid and cursive, with the first name "Darlene" and last name "Burcham" clearly visible.

Darlene L. Burcham
City Manager

DLB:sm

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance

COMMONWEALTH OF VIRGINIA



DONALD S. CALDWELL
COMMONWEALTH'S ATTORNEY

AREA CODE 540 TEL. NO. 853-2626
FAX 853-1201

CITY OF ROANOKE
OFFICE OF THE COMMONWEALTH'S ATTORNEY
315 CHURCH AVENUE
ROANOKE, VIRGINIA 24016

Roanoke City Council Regular Agenda Report

September 6, 2005

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice-Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of City Council:

Subject: Acceptance of the Roanoke City Victim Program Grant

Background:

The Victim/Witness Assistance Program has been awarded a twelve month \$115,117 grant (#06-L8554VW05) for July 2005 through June 2006. The grant from the Department of Criminal Justice Services (DCJS) will allow the Victim/Witness Assistance Program to continue to provide comprehensive information and direct services to crime victims and witnesses in accordance with the Virginia Crime Victim and Witness Rights Act.

The Victim/Witness Program continues to operate with a full-time coordinator for the Circuit Court, as well as one full-time assistant for the Juvenile and Domestic Relations Court and one full-time assistant for the General District Court. A summary of FY 01-02, 02-03, 03-04 and 04-05 contacts documents the services of the program (see Attachment A).

The Victim/Witness Program is coordinated by the Office of the Commonwealths Attorney.

Considerations:

The cost to the City for grant #06-L8554VW05 would be \$25,671 as a local cash match for a total grant budget of \$140,788. The local cash match is equal to that of FY 2004-2005. This local cash match is included in the General Fund FY 2005-2006 adopted budget in the Transfer to Grant Fund Account.

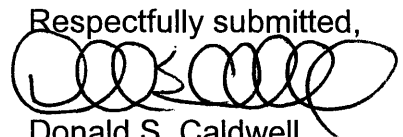
Recommendations:

Accept the Victim/Witness Grant #06-L8554VW05 of \$115,117 with the City of Roanoke providing \$25,671 as a local cash match from the monies provided in the Transfer to Grant Fund Account in the FY 05-06 budget for a total grant of \$140,788.

Authorize the City Manager to sign and execute all appropriate documents, approved as to form by the City Attorney, to obtain Grant #06-L8554VW05.

Appropriate funding of \$140,788 per Attachment B and increase the corresponding revenue estimates in accounts established by the Director of Finance in the Grant Fund.

Transfer \$25,671 from the General Fund Transfer to Grant Fund Account 001-250-9310-9535 to the Grant Fund account established above.

Respectfully submitted,

Donald S. Caldwell
Commonwealth's Attorney

DSC:jls

pc: Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Mary F. Parker, City Clerk
Victim Witness Coordinator

ATTACHMENT A
Victim Witness Assistance Program
Service Summary

	Service	FY 01-02	FY 02-03	FY 03-04	FY 04-05
1.	Total Victims Contacted	991	614	1218	965
2.	Total Witnesses Contacted	237	13	257	19
3.	Case Disposition, Case Status & Advance Notice of Proceedings	3,454	3,593	6,629	3,770
4.	Intercession Services with Schools, Employers, or Collection Agencies	18	30	43	37
5.	Crisis Intervention	41	49	107	113
5.	Referral and Assistance with the Criminal Injuries Compensation Fund	315	122	287	198
7.	Restitution Assistance	1,538	882	1,845	1,560
8.	Explanation of Steps in Criminal Justice System and Criminal Justice Process Options	1,336	581	1,498	1,142
9.	Courtroom Tours or Explanations	322	295	792	413
10.	Criminal Justice Process Support	489	415	988	762
11.	Notification Services & Explanation Regarding Prisoner Custody Status	94	54	138	135
12.	Protection Services & Explanations	277	305	632	745
13.	Appeal/Habeas Corpus Services	20	13	19	3
14.	Educational Brochures and Pre-Printed Information	2,592	2,850	5,454	2,757
15.	Amount of Restitution Collected	\$101,210	\$164,874	\$110,976	\$116,894
16.	Amount of Compensation Awarded to Victims from the Criminal Injuries Compensation Fund	\$106,432	\$78,028	\$59,275	\$45,610

Statistics listed on this page reflect some of the services being counted by the Victim Witness Program as required by the Department of Criminal Justice Services.

**ATTACHMENT B
PROGRAM BUDGET**

1002	Regular Employee Salaries	\$ 97,177
1105	City Retirement	\$ 7,019
1115	ICMA Retirement	\$ 3,020
1116	ICMA Match	\$ 1,950
1120	FICA	\$ 9,155
1125	Medical Insurance	\$ 11,754
1126	Dental Insurance	\$ 767
1130	Life Insurance	\$ 1,064
1131	Disability Insurance	\$ 261
2020	Telephone	\$ 1,800
2030	Administrative Supplies	\$ 1,000
2042	Dues and Memberships	\$ 75
2044	Training and Development	\$ 2,763
2144	Business Meals and Travel	\$ 1,018
2160	Postage	\$ 1,620
7015	Management Services	<u>\$ 345</u>
TOTAL		\$140,788

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate funding for the Victim Witness Program Grant ,
amending and reordaining certain sections of the 2005-2006 Grant Fund Appropriations,
and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following
sections of the 2005-2006 Grant Fund Appropriations be, and the same are hereby,
amended and reordained to read and provide as follows:

Appropriations

Regular Employee Salaries	035-150-5129-1002	\$ 97,177
City Retirement	035-150-5129-1105	7,019
ICMA Retirement	035-150-5129-1115	3,020
ICMA Match	035-150-5129-1116	1,950
FICA	035-150-5129-1120	9,155
Medical Insurance	035-150-5129-1125	11,754
Dental Insurance	035-150-5129-1126	767
Life Insurance	035-150-5129-1130	1,064
Disability Insurance	035-150-5129-1131	261
Telephone	035-150-5129-2020	1,800
Administrative Supplies	035-150-5129-2030	1,000
Dues and Memberships	035-150-5129-2042	75
Training and Development	035-150-5129-2044	2,763
Business Meals and Travel	035-150-5129-2144	1,018
Postage	035-150-5129-2160	1,620
Management Services	035-150-5129-7015	345

Revenues

Victim Witness FY06 - State	035-150-5129-5130	115,117
Victim Witness FY06 - Local Match	035-150-5129-5131	25,671

Pursuant to the provisions of Section 12 of the City Charter, the second reading
of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

JHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing the acceptance of a Victim/Witness Assistance Program grant from the Commonwealth of Virginia Department of Criminal Justice Services and authorizing execution of any required documentation on behalf of the City.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City Manager is hereby authorized on behalf of the City to accept from the Commonwealth of Virginia Department of Criminal Justice Services the Victim/Witness Assistance Program grant in the amount of \$115,117.00 for Fiscal Year 2005-2006. Such grant being more particularly described in the letter of the City Manager to Council dated September 6, 2005.
2. The local cash match for Fiscal Year 2005-2006 shall be in the amount of \$25,671.
3. The City Manager is hereby authorized to execute and file, on behalf of the City, any documents setting forth the conditions of the grant in a form approved by the City Attorney.
4. The City Manager is further directed to furnish such additional information as may be required by the Department of Criminal Justice Services in connection with the acceptance of the foregoing grant or with such project.

ATTEST:

City Clerk.



CITY OF ROANOKE OFFICE OF THE CITY MANAGER

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215 Church Avenue, S.W., Room 364

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September 6, 2005

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Subject: Justice Assistance Grant
Bicycle Patrol Program

Dear Mayor Harris and Members of Council:

Background

The Roanoke Police Department's community based bicycle patrol program has been funded over the last several years by the Local Law Enforcement Block Grant program. This funding source has been severely reduced so that continual operation of the program is in jeopardy.

A new program, the Edward Byrne Memorial Justice Assistance Grant (JAG) program has been established. This funding opportunity allows for community policing programs similar to our current bike patrol initiative. The Police Department has been awarded \$111,010 under the JAG funding formula. This opportunity is to be used for the continuation of the successful bicycle patrol program. The funding will provide equipment and allow for bicycle patrols in neighborhoods experiencing unpleasant conditions which reduce the quality of life. Operation of the program will be sustained at the high level the community has come to expect.

Recommended Action:

Accept the Edward Byrne Memorial Justice Assistance Grant of \$111,010 from the U. S. Department of Justice, Office of Justice Programs; and authorize the

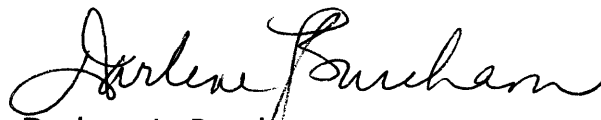
Mayor Harris and Members of City Council
September 6, 2005
Page 2

City Manager to execute the grant agreement and any related documents, subject to them being approved as to form by the City Attorney.

Appropriate funding of \$111,010 as outlined below and establish corresponding revenue estimates in accounts to be established by the Director of Finance in the Grant Fund:

Overtime	\$ 92,894
FICA	\$ 7,106
Expendable Equipment	\$ 9,960
Fees for Professional Services	<u>\$ 1,050</u>
Total	\$111,010

Respectfully submitted,


Darlene L. Burcham
City Manager

DLB:/gws

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Rolanda B. Russell, ACM for Community Development
A. L. Gaskins, Chief of Police

CM05-00124

AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to establish the Edward Byrne Memorial Justice Assistance Grant, amending and reordaining certain sections of the 2005-2006 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2005-2006 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

Appropriations			
Overtime	035-640-3620-1003	\$	92,894
FICA	035-640-3620-1120		7,106
Fees for Professional Services	035-640-3620-2010		1,050
Expendable Equipment	035-640-3620-2035		9,960
Revenues			
Justice Assistance FY06	035-640-3620-3620		111,010

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

JTS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing the acceptance of a Edward Byrne Memorial Justice Assistance Grant (JAG) from the U.S. Department of Justice, and authorizing execution of any required documentation on behalf of the City.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City Manager is hereby authorized on behalf of the City to accept from the U.S. Department of Justice the Edward Byrne Memorial Justice Assistance Grant in the amount of \$111,010.00, no local matching funds are required. Such grant being more particularly described in the letter of the City Manager to Council, dated September 6, 2005.

2. The City Manager is hereby authorized to execute and file, on behalf of the City, any documents setting forth the conditions of the Edward Byrne Memorial Justice Assistance Grant, approved as to form by the City Attorney, required in connection with the acceptance of such grant and to furnish such additional information as may be required by the U.S. Department of Justice.

ATTEST:

City Clerk



CITY OF ROANOKE OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
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Fax: (540) 853-1138
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September 6, 2005

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Subject: Buffer Zone Protection Grant

Dear Mayor Harris and Members of Council:

Background:

In October 2004, the Department of Homeland Security instituted the Buffer Zone Protection Program (BZPP) to aid localities in the physical protection of critical infrastructures and key resources. The purpose of this infrastructure protection funding program is to reduce vulnerabilities of key resource sites by extending the protected area around a site into the surrounding community and support the prevention and preparedness levels of first responders.

The Police Department has been awarded \$100,000 in BZPP funding. These monies are to be used to purchase advanced technological and tactical response equipment. The equipment will greatly enhance the department's ability to effectively respond to large scale incidents located in or near governmental facilities or key commercial assets.

Recommended Action:

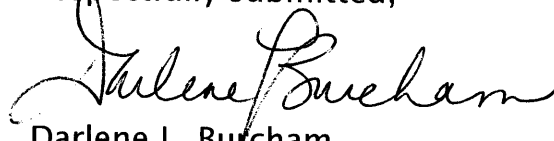
Accept the Buffer Zone Protection Program Grant award of \$100,000 from the Department of Homeland Security's Office of Domestic Preparedness; and authorize the City Manager to execute the grant agreement and any related documents, subject to them being approved as to form by the City Attorney.

Honorable Mayor and Members of Council
September 6, 2005
Page 2

Appropriate funding of \$100,000 as outlined below and establish corresponding revenue estimates in accounts to be established by the Director of Finance in the Grant Fund.

Expendable Equipment	\$ 72,152
Furniture and Equipment	\$ 27,848
Total	\$100,000

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB:/gws

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Rolanda B. Russell, ACM for Community Development
A. L. Gaskins, Chief of Police

CM05-00123

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to establish the Buffer Zone Protection Grant, amending and reordaining certain sections of the 2005-2006 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2005-2006 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

Appropriations		
Expendable Equipment	035-640-3618-2035	\$ 72,152
Furniture and Equipment	035-640-3618-9015	27,848
Revenues		
Buffer Zone Protection FY06	035-640-3618-3618	100,000

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing the acceptance of a Buffer Zone Protection Program Grant from the Department of Homeland Security, and authorizing execution of any required documentation on behalf of the City.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City Manager is hereby authorized on behalf of the City to accept from the Department of Homeland Security the Buffer Zone Protection Program Grant in the amount of \$100,000.00, no local matching funds are required. Such grant being more particularly described in the letter of the City Manager to Council, dated September 6, 2005.

2. The City Manager is hereby authorized to execute and file, on behalf of the City, any documents setting forth the conditions of the Buffer Zone Protection Program Grant, approved as to form by the City Attorney, required in connection with the acceptance of such grant and to furnish such additional information as may be required by the Department of Homeland Security.

ATTEST:

City Clerk



CITY OF ROANOKE OFFICE OF THE CITY MANAGER

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215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591

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Fax: (540) 853-1138

CityWeb: www.roanokegov.com

August 15, 2005

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of City Council:

Subject: Fire/EMS Administration
Facility Funding

The City opened bids for the new Fire/EMS Administration Facility to be located at Elm & Franklin on June 30, 2005. Five bids were received from local contractors, with the low bid submitted by Breakell, Inc. The base bid is \$4,800,000. Additional funding in the amount of \$672,651 needs to be appropriated to complete the project.

Funding for debt service on Fire/EMS facility improvements is being provided by increased EMS fees. EMS fees increase annually through FY07 in accordance with federally-allowed levels. Although debt has been issued for the first fire/EMS station replacement, there are excess Fire/EMS revenues each year until all planned debt is issued for these projects. Until FY09 when the EMS fees are needed entirely for debt service, they can be used to cash-fund some elements of the facility projects. Based on the expected EMS revenues as compared to the timing of planned debt issuance, funds of \$589,235 may be transferred from other capital projects to be replenished during FY07 and FY08 from such excess Fire/EMS revenues. Remaining funds of \$83,416 are available from contingency funding in the Capital Projects Fund.

Recommended Action:

Transfer additional funds in the amount of \$589,235 from the Roanoke River Flood Reduction account (#008-056-9620-9003) and of \$83,416 from the

Mayor Harris and Members of City Council
September 6, 2005
Page 2

Capital Projects Contingency Fund (008-530-9575-9220) to the Fire/EMS
Administration Facility Improvement Program account (#008-530-9678-9003).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Darlene Burcham". The signature is fluid and cursive, with the first name "Darlene" and last name "Burcham" clearly distinguishable.

Darlene L. Burcham
City Manager

DLB/SEF

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Sherman M. Stovall, Director of Management and Budget
Philip C. Schirmer, PE, LS, City Engineer

CM05-00118

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to transfer funding from the Roanoke River Flood Reduction Project and from the Capital Improvement Reserve to the Fire/EMS Administration Facility Improvement Project, amending and reordaining certain sections of the 2005-2006 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2005-2006 Capital Projects Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

Appropriations

Appropriated from General Revenue	008-056-9620-9003	\$ (589,235)
Capital Project Contingency	008-530-9575-9220	(83,416)
Appropriated from General Revenue	008-530-9678-9003	672,651

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

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September 6, 2005

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of City Council:

Subject: Unity Sculpture Extension

In correspondence from Mr. Herb Detweiler dated August 19, 2005 a twelve (12) month extension of the agreement dated September 17, 2004 was requested. Pursuant to the terms of the agreement, the deadline for completion and acceptance of the sculpture is September 17, 2005. However, the agreement provided that, with the approval of City Council, the deadline could be extended by no more than an additional twelve month period..

Recommendation:

Authorize an extension of the time of performance of the agreement with JDR Art, Inc., by twelve (12) months, until September 17, 2006.

Sincerely,

A handwritten signature in black ink, reading "Darlene L. Burcham". The signature is fluid and cursive, with the first name "Darlene" and last name "Burcham" clearly distinguishable.

Darlene L. Burcham
City Manager

DLB:sm

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance

CM05-00128

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION approving the extension of an agreement between JDR ART, Inc. and the City of Roanoke for acceptance and donation of a work of sculpture to be known as the Unity sculpture, for a period of twelve (12) months.

WHEREAS, Resolution No. 36859-092004, adopted September 20, 2004, authorized the execution of an agreement between the parties dated September 17, 2004, which provided that the sculpture was to be completed within twelve months from the date of the Agreement;

WHEREAS, this agreement contained a provision that City Council could extend the deadline of this agreement by not more than an additional twelve (12) months; and

WHEREAS, JDR ART, Inc., has requested that the time of performance of the agreement be extended by twelve (12) months.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke that the time of performance of the agreement by and between the City of Roanoke and JDR ART, Inc., dated September 17, 2004, is hereby extended for a period of twelve (12) months, until September 17, 2006.

ATTEST:

City Clerk.



CITY OF ROANOKE DEPARTMENT OF FINANCE

215 Church Avenue, S.W., Room 461

P.O. Box 1220

Roanoke, Virginia 24006-1220

Telephone: (540) 853-2821

Fax: (540) 853-6142

JESSE A. HALL

Director of Finance

email: jesse_hall@ci.roanoke.va.us

ANN H. SHAWVER

Deputy Director

email: ann_shawver@ci.roanoke.va.us

September 6, 2005

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff Council Member

Dear Mayor Harris and Members of City Council:

Subject: Fiscal Year 2005 Unaudited Financial Report

Fiscal year 2005 has come to a close, and this financial report presents the results of the City's financial performance for the year. It is appropriate to point out that the financial data contained herein may change during the course of our external audit which will be conducted during upcoming months. We anticipate presenting the audited financial statements to City Council at its first December meeting.

The following narrative provides an overview of General, School and Enterprise Fund performance, and it also presents fund balances for the General and School Funds.

General Fund

Revenues

Our revenue estimate from all sources was \$231,910,287, while actual collections totaled \$233,903,699. General Fund revenues exceeded the estimate by .86% or \$1,993,412.

Adjusted for a one-time transfer from the Debt Service Fund to the General Fund to establish the Budget Stabilization Reserve, General Fund revenues increased 5.2% compared to FY04. Significant variances in specific categories of revenues are discussed in the following paragraphs.

Local Taxes

General Property and Local taxes comprise 62% of the General Fund. They achieved 102% of the revenue estimate as a whole, exceeding budget by approximately \$7.5 million, and increasing 5.4% since FY04.

Real estate taxes are the largest single source of the City's revenues. This primary revenue source increased nearly 8%, exceeding the estimate by \$600,000. This was a result of strong growth in assessed values and new construction that surpassed our estimates. Real estate has provided a significant portion of local tax growth in each of the past two fiscal years, and it will continue to do so again in FY06, consistent with local, state and national trends in real estate. Despite that fact that we did not hold any delinquent tax sales in FY05, collections of delinquent real estate taxes surpassed those of the prior year by 12%.

Personal property taxes are the second largest tax revenue. The current portion increased 9.3% as compared to FY04, exceeding the revenue estimate by 7%. Personal property tax revenues grew in FY05 for the first time since FY01. The revenue estimate anticipated a small increase, but not the magnitude of the growth experienced. The strong growth in FY05 is attributed to increased sales of new vehicles, higher assessed values in FY05 for used vehicles, and efforts by the Commissioner of the Revenue to assure vehicles registered with the Division of Motor Vehicles were properly assessed.

State sales tax is our third largest local tax and is a key indicator of the strength of our local economy. Sales tax increased 2.3% from FY04 to FY05; however, when both years are adjusted to consider non-recurring corrections of sales tax allocations by the Commonwealth, this revenue grew approximately 2.9%. This represents positive growth in our City which is continually challenged by retail competition from surrounding communities.

Utility taxes, as a group, are the fourth largest local tax. Utility taxes apply to electric, gas, telephone, water and cellular phone services. The revenue slightly exceeded the estimate, remaining stable as a whole when compared to the prior year. Within the category, telephone utility tax revenues declined whereas cellular revenues increased, consistent with trends in the telecommunications industry of declining land line phones being replaced by cell phones.

Business and Professional Occupational License (BPOL) Tax is the City's fifth largest source of local tax revenue. Tax revenues are derived from gross receipts of businesses. BPOL taxes achieved 103% of the estimate and increased 4.2% compared to FY04. This growth is another positive indicator of the strength of the local economy, and it represents the largest growth the City has experienced since FY01.

Prepared Food and Beverage taxes exceeded the estimate by 3.3% and rose nearly 4% compared to the prior year. This is the sixth largest local tax, generating revenues of

nearly \$8 million during FY05. Consistent with the growth in other local taxes, the increase in this revenue is indicative of a continued positive trend in consumer spending in Roanoke. The prepared food and beverage tax rate increased from 4% to 5% effective July 1st, contributing approximately \$2.1 million in additional local taxes to the FY06 adopted budget. These additional revenues are necessary to fund planned capital improvements, most notably planned renovations to the William Fleming High School.

There are a number of other significant local taxes which contribute \$1 to \$4 million in annual revenue to the City. Public Service Taxes, the property tax on public service companies such as utilities, contributed almost \$3.9 million in General Fund revenues. The tax declined \$600,000 compared to last year and was below the estimate. Each year, the personal property component of this tax is estimated, and the adjustment to the estimate does not occur until the beginning of the next fiscal year. Thus, Public Service Tax revenues in FY05 were adversely impacted by refunds of amounts that were received in FY04. The Transient Room Tax totaled approximately \$2.2 million and rose 1% over FY04. The Cigarette Tax provides nearly \$2.0 million in revenues and remained stable in FY05 despite the fact that the revenue has declined in recent years. The Recordation Tax contributes \$1.1 million in local taxes, and these revenues grew 34% in FY05 following an increase in the State-established tax rate.

Intergovernmental Revenues

Intergovernmental revenues consist of State and Federal funding to the General Fund. After real estate tax, the largest category of revenue to the General Fund is funding from the Commonwealth. State funding makes up approximately 25% of the budget. In FY05, revenues totaled \$57.7 million or 97.9% of the estimate. They increased more than 6% over the prior year. The portion of personal property paid by the State increased, corresponding with the increase in the local tax portion. ABC and Wine taxes declined significantly during FY05 when the State decreased its allocation of each of these taxes to localities. Recordation taxes remained stable State-wide, yet declined for the City because our share of this revenue is adversely affected by disproportionate growth in Northern Virginia. Social Services revenues increased, corresponding to increases in expenditures. The greatest increases were for foster care, day care and Comprehensive Services Act (CSA) expenditures. Funding for Street Maintenance increased \$317,000 or 3.3%, and funding for local law enforcement via HB 599 grew \$340,000 or 8.5%. Jail per diems also increased with growth of \$183,000. Funding from the State Compensation Board for our Constitutional Offices increased approximately 3%.

The City typically receives very little direct federal revenue for General Fund operations. In FY05, approximately \$39,000 was received, a decrease compared to FY04 when FEMA reimbursed the City for February 2003 flood damages.

Other Local Revenues

Besides local taxes, there are other local revenues which collectively contributed 13% to the General Fund. These include permits and fees, fines and forfeitures, charges for services, interest and rental income, billings for services to other City funds or other entities, transfers from other funds and miscellaneous revenues. A brief recap of the performance of these revenues is as follows.

Permits, Fees and Licenses provided nearly \$1.3 million in revenue to the General Fund, exceeding the budget by 15%. Fees charged for construction permits and for comprehensive planning and zoning reviews make up the largest portion of this category. An active construction market provided the growth in this category.

Fines and Forfeitures totaled almost \$1.4 million. They remained nearly stable as compared to revenues of FY04, and they exceeded the estimate by 2.6%. Included in this category are court fines, parking tickets, collection fees imposed on various delinquent collections, and public safety false alarm fees.

Revenue from the Use of Money and Property Rental totaled \$797,000, achieving 108.39% of the estimate and increasing nearly 17% since FY04. Growth occurred from improved interest earnings and increased property rental. The largest source of rental revenue is from the Commonwealth Building.

Charges for Services totaled \$8.7 million in FY05. The largest items within this category include charges imposed by the Sheriff's department for prisoner care and housing of prisoners from other jurisdictions, EMS fees, court fees, human services charges for various social service programs, and fees for various recreation programs. As a category, these revenues decreased approximately 6% compared to FY04. The decrease occurred as charges for services previously provided to the Water and Water Pollution Control Funds of the City were not made upon formation of the Water Authority. These decreases are offset by increases in Sheriff's department revenues from housing of prisoners and the relatively new "pay for stay" fee imposed at the jail.

Revenues from Interfund Services totaled \$2.5 million in FY05. The category achieved 88.4% of its estimate. Charges included in this category are billings to the Schools for their share of Comprehensive Services Act (CSA), School Resource Officer (SRO), and Municipal Audit expenditures. Also included are billings to the Airport for the Airport Fire Station, and charges to other funds of the City for Engineering, Building Maintenance, Street Maintenance, and other services. Revenue in this category fell below the estimate because billings to the Schools for CSA and SRO services were below the estimates. Also, the City did not provide the anticipated level of services to the Water Authority upon its formation.

Transfers from Other Funds consisted almost entirely of a one-time transfer of \$15.5 million from the Debt Service Fund to the General Fund to establish the Budget Stabilization Reserve. City Council established this reserve in April 2005 to formally

create a reserve for emergency expenditures and unforeseen revenue declines. In doing so, a reserve policy was adopted which incorporates a number of municipal finance best practices in defining the target level of the reserve, circumstances in which the reserve may be used, and growth and replenishment policies for the reserve.

Miscellaneous revenue increased 44.9% in the current year due to an increase in donations, flood insurance proceeds, and other nonrecurring revenues.

Expenditures

Total expenditures and encumbrances for FY 2005 were \$219,192,532, which were \$1,715,760 or .78% less than City Council had authorized. The authorized expenditure budget includes appropriations of fund balance which were made during the year.

General Fund expenditures and encumbrances have increased 3.82% since FY04. An employee pay raise averaging 3% was granted effective July 1, 2004. Beyond the pay raise, which affects most departments of the General Fund, other notable expenditure trends are as follows:

General Government expenditures declined 3.3% in FY05. Billings and Collections expenditures declined when the department's utility billing functions were transferred to the Water Authority July 1, 2004. There is a corresponding decline in revenues for these services which were previously paid by the Water and Water Pollution Control Funds.

Public Safety expenditures increased 6.28% or \$3.1 million. As well as the pay raise granted all employees July 1st, Police department personnel received an additional 4% raise effective January 1, 2005 which added to the growth in expenditures in this category.

Health and Welfare expenditures increased \$2.8 million or 9.55%. Comprehensive Services Act (CSA) expenditures have been a continually rising cost of the City due to the increasing number of children being served and some of the costly facilities at which services are provided. Other Social Services expenditures also increased from FY04 to FY05, mainly as a result of increased expenditures for foster care, special needs adoption and daycare services.

Community Development expenditures decreased \$331,000 or 5.66%. Memberships and Affiliations expenditures decreased due to the fact that FY04 included one-time contributions which were made for Mill Mountain Zoo's water line improvements (\$175,000), and for Center in the Square's roof replacement (\$77,000). Expenditures of Planning and Code Enforcement declined due to a reduction in work stations billed by the Department of Technology.

Transfer to School Fund increased by \$3.2 million or 6.37% based on the school funding formula which allocates approximately 36% of local taxes to the School Board.

The Transfer to School Capital Projects Fund of just over \$1.0 million in FY04 stemmed from an appropriation of CMERP which established a reserve for future school construction and renovation costs. There was no similar transfer in FY05.

Nondepartmental expenditures and obligations decreased \$484,000 or 4.37% due to a net decline in transfers to other funds of the City. Transfers vary from year to year based on transactions between the General Fund and other funds of the City. In FY04, a one-time transfer of approximately \$2.8 million was made from the General Fund to the Parking Fund for the retirement of the lease of the Century Station parking garage.

SCHOOL FUND

Revenues

The School Fund revenue estimate from all sources was \$118,019,930, while actual collections totaled \$117,264,656. Total School Fund revenues increased 10.83% or \$11,457,551 from the prior year but fell short of the estimate by .72%. The significant growth in the School budget was a result of increased funding from both the City and the Commonwealth. Similar to the City's General Fund, the School Fund sales tax increased in FY05, and the Schools benefited from the increase in the state sales tax rate which occurred September 1, 2004. Revenues from the Commonwealth grew 17% due to a revision in the allocation of state funding for education. Conversely, Charges for Services declined 18%, impacted by the fact that the County is no longer participating in the regional special education program which provided revenues to the City Schools. The Transfer in funding from the City's General Fund also increased 6.37% as described previously.

Expenditures

Expenditures and encumbrances in the School Fund were budgeted at \$120,150,179, while actual obligations totaled \$118,976,214, leaving an unobligated balance of \$1,173,965. It is important to note that the authorized expenditure budget includes appropriations from prior year fund balance. Expenditures and encumbrances increased from the prior year by \$13,316,730 or 12.6%, with increases in all categories except facilities which declined. Salaries and benefits expenditures increased, with pay increases of 5% for instructional personnel. Transportation costs increased as impacted by rising fuel prices. Capital acquisition varies from year to year, and FY05 expenditures were lower than those of the prior year.

ENTERPRISE FUNDS

The City's Enterprise Funds include Civic Facilities, Parking and Market Building operations. These funds are intended to operate in a manner such that operating expenses are recovered in the form of user charges. Historically, the General Fund has subsidized the Civic Facilities Fund, and beginning in FY05, it subsidized the Market Building Fund as well. Brief comments on each of the City's Enterprise Funds are as follows.

Civic Facilities Fund

The Civic Facilities Fund operates with a budget of approximately \$5.8 million, and it includes the operations of the Civic Center and Victory Stadium. For the year ended June 30, 2005, the fund incurred an operating loss of slightly over \$1.7 million. As a comparison, operating losses in FY04 and FY03 were approximately \$1.6 million and \$1.4 million, respectively. In FY05, transfers totaling over \$1.4 million were provided by the General Fund to mitigate the operating loss; \$250,000 to cover the shortfall in Victory Stadium operating revenues and \$1.2 million to cover the shortfall in Civic Center operating revenues. Small transfers were also made to cash-fund capital projects at the Civic Center. The subsidy to the Civic Center was increased in FY05 due to a decline in revenues which occurred during the year. Operating revenues declined in almost all categories due to the loss of hockey at the Civic Center and due to a decline in the overall number and profitability of events held in FY05. Operating expenses also declined, but not to the same extent as the revenue decrease. Nonoperating revenues of the Civic Facilities Fund include transfers, interest earnings, interest expense and non-recurring items. Total net income for the year was approximately \$5,000, compared to a net loss in FY04 of \$178,000.

Parking Fund

The City's Parking Fund operates six parking garages and numerous surface lots with a budget of approximately \$2.7 million. In FY05, the fund achieved operating income of \$921,000, a decline from the nearly \$1.1 million of FY04. Operating revenues in FY05 decreased in several garage facilities when the number of long term parkers declined. Operating expenses increased due to increased utility and maintenance costs and an increase in the management fee. After the impact of non-operating activities is incorporated, the Parking Fund achieved net income of \$673,000 in FY05. Adjusted for the one-time transfer from the General Fund to redeem the lease of Century Station Garage, FY04 net income totaled just over \$1.0 million. Through its achievement of these net income amounts in recent years, the Parking Fund is generating working capital which will be used to cash-fund certain facilities improvements planned for the future. The fund's revenues in excess of expenses will also enable it to fund debt service as bonds are issued to fund new parking garages.

Market Building Fund

The Market Building Fund was created in FY03 to enable the City to track the results of revenues and expenses of this facility. It operates with an annual budget of approximately \$312,000. The fund completed FY05 with an operating loss of \$205,000. Included in this amount were building repair expenses of \$125,000 which were incurred in FY05 but funded by a General Fund transfer during a prior year. Adjusted for these repair costs, the loss from actual operations was \$80,000. The fund was given an operating subsidy by the General Fund in the amount of \$151,000 for both the FY05 loss and due to the fact that a loss during FY04 had fully eroded the fund's cash balance. Transfers from the General and Capital Projects Funds totaling \$174,000 were also made to fund Market Building roof repairs planned for the upcoming fiscal year.

FUND BALANCES

General Fund

The Budget Stabilization Reserve at June 30, 2005 is \$15,650,125. The reserve was established to serve as a funding source for emergencies or unforeseen declines in revenues. The reserve is supported by the Budget Stabilization Reserve Policy which was adopted by City Council in April 2005. This reserve is currently 7% of the adopted General Fund budget for FY06, a slight decline from the level at which it was established. The policy states that the reserve minimum will be 5% with a target of 8%.

The allocation to the Reserve for Uninsured Claims was \$166,730. City Code provides that an annual allocation of up to \$250,000 will be made to develop a reserve for Uninsured Claims equal to 3% of the General Fund budget. The current year allocation fully funds this reserve. The City is self insured for workers' compensation and establishes a loss retention in conjunction with auto and general liability insurance based on claims history.

The year end Undesignated Fund Balance is \$3,392,317. At the end of each fiscal year, any undesignated fund balance is shared with the School Board using the same formula through which local tax revenues are shared. Based on the formula, the undesignated fund balance will be allocated \$2,033,742 to the City and \$1,358,575 to the Schools. The City's undesignated fund balance will be recommended primarily for funding of capital equipment requested through the City's Capital Maintenance and Equipment Replacement Program ("CMERP") at an upcoming meeting of City Council. While reliance upon year end fund balance for capital items has declined due to additional funding of these items in the operating budget, the undesignated year end fund balance will continue to be recommended for use in addressing additional capital needs and non-recurring items.

A Reserve for Encumbrances that totals \$1,478,146 is required in order to provide funds to cover purchase orders from June 30th which will be paid during the upcoming fiscal year.

School Fund

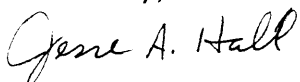
A Reserve for Uninsured Claims is maintained by the School Board in the amount of \$300,000.

The Undesignated Fund Balance is \$420,191. This undesignated fund balance will be allocated by the School Board for capital equipment funding during the upcoming fiscal year. Along with this balance in the School Fund, the Schools will receive \$1,358,575 from the City's General Fund as described previously.

A Reserve for Encumbrances of \$1,150,687 is required in order to provide funds to cover purchase orders from June 30th which will be paid during the upcoming fiscal year.

We would like to reiterate that the General and School Fund amounts discussed within this report are unaudited and subject to change during the course of our external audit. A report of all funds of the City will be included within the Comprehensive Annual Financial Report which is currently being prepared. We would like to thank City Council, the administration, and especially the dedicated staff of the Department of Finance for their support throughout fiscal year 2005.

Sincerely,



Jesse A. Hall
Director of Finance

JAH:ca

Attachments

- c: Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
Rolanda A. Russell, Assistant City Manager
James Grigsby, Acting Assistant City Manager
Marvin T. Thompson, Superintendent, Roanoke City Schools
Kenneth F. Mundy, Jr., Executive Director of Fiscal Services
Sherman M. Stovall, Director of Management and Budget

City of Roanoke, Virginia
Summary of General Fund Undesignated Fund Balance
June 30, 2005
(Unaudited)

General Fund Undesignated Fund Balance Allocation

General Fund Revenues In Excess of Budgeted Amounts	\$ 1,993,412
General Fund Unobligated Appropriations	1,715,760
Less: Allocation to the Reserve for Uninsured Claims	(166,730)
Less: Allocation to the Budget Stabilization Reserve	<u>(150,125)</u>
Total General Fund Undesignated Fund Balance Allocation	3,392,317
School Fund Undesignated Fund Balance Allocation	<u>(1,358,575)</u>
Total General Fund Undesignated Fund Balance	<u><u>\$ 2,033,742</u></u>

City of Roanoke, Virginia
Calculation of General Fund Undesignated Fund Balance to Allocate to the School Board
June 30, 2005
(Unaudited)

Local Taxes

General Property Taxes	\$ 89,309,031
Other Local Taxes	64,538,427
Total Local Taxes	<u>153,847,458</u>

Less: Local Taxes Dedicated for Specific Purposes

Current Downtown District Real Estate Tax	(254,987)
Delinquent Downtown District Real Estate Tax	(4,230)
Current Williamson Road District Real Estate Tax	(72,746)
Delinquent Williamson Road District Real Estate Tax	(2,012)
Downtown District Public Service Tax	(29,438)
Utility Consumer Tax Dedicated to Roanoke River Flood Reduction	(808,000)
Telephone Surcharge (E911) Taxes	(1,603,863)
Cable TV Franchise Tax Dedicated to Local Government Access Channel	(202,020)
Cigarette Tax to Support Debt Service of Bonds Issued for Jail and Juvenile Detention Home	(305,000)
Motor Vehicle License Tax to Support Debt Service of Bonds Issued for Jail and Juvenile Detention Home	(325,000)
Cigarette Tax for COPE Team and Convention and Visitor's Bureau	(501,429)
Transient Room Tax to Support Convention and Visitors Bureau	(200,000)
Telecommunications Right of Way Use Fee Dedicated to Paving	(359,862)
One Cent Real Estate Tax Dedicated to Economic Development	(479,078)
One Cent Transient Occupancy Tax Dedicated to Tourism	(321,464)
Ten Cents Cigarette Tax Dedicated to Curb, Gutter and Sidewalk	(699,785)
Debt Service on Bonds Issued for Innotech Project	(950,525)
Admissions Tax Dedicated to Civic Center Project or Cultural Agencies	(40,756)
Net Local Taxes	<u>146,687,263</u>

School Percentage Share of Local Taxes	<u>36.42% *</u>
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School Share of Local Taxes	53,423,501
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Other Adjustments:

Deduct Interest Earnings	(200,000)
Add Roanoke Adolescent Health Partnership	25,000

Net School Transfer	53,248,501
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Less: FY05 Local Funding Provided to School Board	<u>(51,889,926)</u>
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Allocation of Undesignated Fund Balance to School Board	<u><u>\$ 1,358,575</u></u>
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* Percentage share based on Revenue Allocation Model

City of Roanoke, Virginia
Summary of School Board Undesignated Fund Balance
June 30, 2005
(Unaudited)

School Fund Undesignated Fund Balance Allocation

School Fund Revenues in Comparison with Budgeted Amounts	\$ (755,274)
School Fund Unobligated Appropriations	1,173,965
Add: Decrease in Workers' Comp Trust Fund	<u>1,500</u>
Total School Fund Undesignated Fund Balance Allocation	420,191
General Fund Undesignated Fund Balance Allocation	<u>1,358,575</u>
Total School Undesignated Fund Balance	<u><u>\$ 1,778,766</u></u>

CITY OF ROANOKE, VIRGINIA
GENERAL FUND

STATEMENT OF REVENUE

Revenue Source	Year to Date for the Period			Current Fiscal Year	
	July 1 - June 30 2003-2004	July 1 - June 30 2004-2005	Percentage of Change	Revised Revenue Estimates	Percent of Revenue Estimate Received
General Property Taxes	\$ 75,346,292	\$ 80,983,210	7.48 %	\$ 79,623,211	101.71%
Other Local Taxes	62,681,631	64,538,427	2.96 %	63,017,000	102.41%
Permits, Fees and Licenses	1,026,606	1,275,026	24.20 %	1,112,000	114.66%
Fines and Forfeitures	1,365,502	1,354,775	-0.79 %	1,321,000	102.56%
Revenue from Use of Money and Property	682,798	796,688	16.68 %	735,000	108.39%
Grants-in-Aid Commonwealth	54,319,259	57,707,112	6.24 %	58,973,375	97.85%
Grants-in-Aid Federal Government	150,116	38,770	-74.17 %	34,000	114.03%
Charges for Services	9,303,046	8,732,058	-6.14 %	8,404,380	103.90%
Internal Services	2,241,909	2,381,971	6.25 %	2,694,000	88.42%
Transfers from Other Funds	-	15,501,876	100.00 %	15,501,876	100.00%
Miscellaneous Revenue	409,829	593,786	44.89 %	494,445	120.09%
Total	\$ 207,526,988	\$ 233,903,699	12.71 %	\$ 231,910,287	100.86%

STATEMENT OF EXPENDITURES AND ENCUMBRANCES

Expenditures	Year to Date for the Period			Current Fiscal Year		
	July 1 - June 30 2003-2004	July 1 - June 30 2004-2005	Percentage of Change	Unencumbered Balance	Revised Appropriations	Percent of Budget Obligated
General Government	\$ 11,898,598	11,505,505	-3.30 %	\$ 103,606	\$ 11,609,111	99.11%
Judicial Administration	6,211,622	6,551,413	5.47 %	36,406	6,587,819	99.45%
Public Safety	49,650,213	52,770,117	6.28 %	295,464	53,065,581	99.44%
Public Works	22,720,140	23,127,092	1.79 %	204,968	23,332,060	99.12%
Health and Welfare	29,551,504	32,374,103	9.55 %	827,224	33,201,327	97.51%
Parks, Recreation and Cultural	8,356,185	8,561,826	2.46 %	88,080	8,649,906	98.98%
Community Development	5,860,516	5,529,454	-5.65 %	40,702	5,570,156	99.27%
Transfer to Debt Service Fund	15,270,488	15,509,083	1.56 %	1,587	15,510,670	99.99%
Transfer to School Fund	49,520,072	52,676,279	6.37 %	-	52,676,279	100.00%
Transfer to School Capital Projects Fund	1,025,630	-	-100.00 %	-	-	0.00%
Nondepartmental	11,071,528	10,587,660	-4.37 %	117,723	10,705,383	98.90%
Total	\$ 211,136,496	219,192,532	3.82 %	\$ 1,715,760	\$ 220,908,292	99.22%

**CITY OF ROANOKE, VIRGINIA
SCHOOL FUND STATEMENT OF REVENUE**

Revenue Source	Year to Date for the Period			Current Fiscal Year	
	July 1 - June 30 2003-2004	July 1 - June 30 2004-2005	Percentage of Change	Revised Revenue Estimates	Percent of Revenue Estimate Received
State Sales Tax	\$ 9,516,792	\$ 11,069,390	16.31 %	\$ 10,995,555	100.67 %
Grants-in-Aid Commonwealth	43,613,971	50,933,219	16.78 %	51,526,081	98.85 %
Grants-in-Aid Federal Government	135,834	132,359	-2.56 %	120,899	109.48 %
Charges for Services	2,992,876	2,453,409	-18.03 %	2,611,116	93.96 %
Interest On Investments	27,560	-	-100.00 %	90,000	0.00 %
Transfer from General Fund	49,520,072	52,676,279	6.37 %	52,676,279	100.00 %
Total	\$ 105,807,105	\$ 117,264,656	10.83 %	\$ 118,019,930	99.36 %

SCHOOL FUND STATEMENT OF EXPENDITURES AND ENCUMBRANCES

Expenditures	Year to Date for the Period			Current Fiscal Year		
	July 1 - June 30 2003-2004	July 1 - June 30 2004-2005	Percentage of Change	Unencumbered Balance	Revised Appropriations	Percent of Budget Obligated
Instruction	\$ 77,149,846	\$ 86,852,031	12.58 %	\$ 984,820	\$ 87,836,851	98.88 %
General Support	4,038,396	5,015,513	24.20 %	57,950	5,073,463	98.86 %
Transportation	4,499,385	5,467,247	21.51 %	31,575	5,498,822	99.43 %
Operation and Maintenance of Plant	10,796,601	12,046,555	11.58 %	60,354	12,106,909	99.50 %
Facilities	3,686,786	2,298,391	-37.66 %	49,391	2,347,782	97.90 %
Other Uses of Funds	5,488,470	7,296,477	32.94 %	(10,125)	7,286,352	100.14 %
Total	\$ 105,659,484	\$ 118,976,214	12.60 %	\$ 1,173,965	\$ 120,150,179	99.02 %

**CITY OF ROANOKE, VIRGINIA
CIVIC FACILITIES FUND
COMPARATIVE INCOME STATEMENT
FOR THE TWELVE MONTHS ENDING JUNE 30, 2005
(UNAUDITED)**

	<u>FY 2005</u>	<u>FY 2004</u>
Operating Revenues		
Rentals	\$ 610,284	\$ 787,914
Event Expenses	191,382	229,777
Display Advertising	140,960	97,119
Admissions Tax	446,502	460,778
Electrical Fees	17,591	11,660
Novelty Fees	80,247	85,688
Facility Surcharge	319,019	410,673
Charge Card Fees	88,735	102,469
Commissions	66,900	86,719
Catering/Concessions	810,924	1,106,957
Other	38,608	38,242
Total Operating Revenues	<u>2,811,152</u>	<u>3,417,996</u>
Operating Expenses		
Personal Services	1,953,178	1,960,830
Operating Expenses	2,095,620	2,496,276
Depreciation	465,102	522,693
Total Operating Expenses	<u>4,513,900</u>	<u>4,979,799</u>
Operating Loss	<u>(1,702,748)</u>	<u>(1,561,803)</u>
Nonoperating Revenues (Expenses)		
Interest on Investments	42,488	14,757
Insurance Recoveries	4,795	-
Flood Damage Reimbursements	177,239	23,453
Arena Ventures Contractual Penalties	122,970	117,505
Transfer from General Fund	1,324,643	902,130
Transfer from General Fund - Victory Stadium	204,555	216,005
Transfer from Capital Projects Fund	-	260,000
Transfer to Debt Service Fund	(66,219)	(62,194)
Transfer to Department of Technology Fund	-	-
Gain (Loss) on Disposal of Fixed Assets	(5,989)	6,673
Capital Contributions	-	3,799
Interest and Fiscal Charges	(96,456)	(97,879)
Total Nonoperating Revenues	<u>1,708,026</u>	<u>1,384,249</u>
Net Income (Loss)	<u><u>\$ 5,278</u></u>	<u><u>\$ (177,554)</u></u>

**CITY OF ROANOKE, VIRGINIA
PARKING FUND
COMPARATIVE INCOME STATEMENT
FOR THE TWELVE MONTHS ENDING JUNE 30, 2005
(UNAUDITED)**

	<u>FY 2005</u>	<u>FY 2004</u>
Operating Revenues		
Century Station Garage	\$ 367,338	\$ 416,160
Williamson Road Garage	526,433	544,167
Gainsboro Surface	51,114	43,479
Norfolk Ave Surface	62,196	63,433
Market Square Garage	225,902	238,228
Church Ave Garage	611,306	596,783
Tower Garage	433,349	447,520
Williamson Road Surface Lot	85,838	83,148
Gainsboro Garage	72,926	67,431
Other Surface Lots	<u>164,013</u>	<u>145,628</u>
Total Operating Revenues	<u>2,600,415</u>	<u>2,645,977</u>
Operating Expenses		
Operating Expenses	1,106,501	1,025,185
Depreciation	<u>572,868</u>	<u>541,429</u>
Total Operating Expenses	<u>1,679,369</u>	<u>1,566,614</u>
Operating Income	<u>921,046</u>	<u>1,079,363</u>
Nonoperating Revenues (Expenses)		
Interest on Investments	42,904	18,663
Capital Contributions	-	157,476
Transfer from General Fund	31,780	2,875,160
Transfer from Department of Technology Fund	-	78,000
Interest and Fiscal Charges	<u>(322,741)</u>	<u>(360,577)</u>
Net Nonoperating Revenues (Expenses)	<u>(248,057)</u>	<u>2,768,722</u>
Net Income	<u><u>\$ 672,989</u></u>	<u><u>\$ 3,848,085</u></u>

**CITY OF ROANOKE, VIRGINIA
MARKET BUILDING FUND
COMPARATIVE INCOME STATEMENT
FOR THE TWELVE MONTHS ENDING JUNE 30, 2005
(UNAUDITED)**

	<u>FY 2005</u>	<u>FY 2004</u>
Operating Revenues		
Retail Space Rental	<u>\$ 308,366</u>	<u>\$ 256,965</u>
Total Operating Revenues	<u>308,366</u>	<u>256,965</u>
Operating Expenses		
Operating Expense	506,142	485,066
Depreciation	<u>7,703</u>	<u>7,729</u>
Total Operating Expenses	<u>513,845</u>	<u>492,795</u>
Operating Loss	<u>(205,479)</u>	<u>(235,830)</u>
Nonoperating Revenues (Expenses)		
Interest on Investments	-	2,060
Transfer From Capital Projects Fund	72,491	-
Transfer From General Fund	252,933	1,000
Interest Expense	<u>(1,071)</u>	<u>-</u>
Net Nonoperating Revenues	<u>324,353</u>	<u>3,060</u>
Net Income (Loss)	<u><u>\$ 118,874</u></u>	<u><u>\$ (232,770)</u></u>

**CITY OF ROANOKE, VIRGINIA
CITY TREASURER'S OFFICE
GENERAL STATEMENT OF ACCOUNTABILITY
FOR THE MONTH ENDED JUNE 30, 2005**

TO THE DIRECTOR OF FINANCE:

GENERAL STATEMENT OF ACCOUNTABILITY OF THE CITY TREASURER OF THE CITY OF ROANOKE, VIRGINIA FOR THE FUNDS OF SAID CITY FOR THE MONTH ENDED JUNE 30, 2005.

FUND	BALANCE AT MAY 31, 2005	RECEIPTS	DISBURSEMENTS	BALANCE AT JUNE 30, 2005	BALANCE AT JUNE 30, 2004
GENERAL	\$12,207,957.88	\$20,207,209.24	\$11,399,896.97	\$21,015,270.15	\$3,710,483.24
WATER	420.00	0.00	0.00	420.00	5,186,408.29
WATER POLLUTION CONTROL	1,738.22	0.00	0.00	1,738.22	26,585,688.17
CIVIC FACILITIES	7,207,348.72	544,178.26	963,077.12	6,788,449.86	1,958,741.99
PARKING	3,669,107.42	225,081.50	80,232.79	3,813,956.13	1,424,265.86
CAPITAL PROJECTS	56,391,951.61	2,250,491.81	1,364,841.87	57,277,601.55	47,580,250.35
MARKET BUILDING OPERATIONS	(124,322.10)	256,724.03	22,956.87	109,445.06	95,892.42
CONFERENCE CENTER	4,087,191.64	7,863.71	2,178.10	4,092,877.25	3,771,749.33
DEBT SERVICE	16,966,778.91	0.00	15,447,565.47	1,519,213.44	15,049,741.73
DEPT OF TECHNOLOGY	3,236,722.24	586,802.34	382,981.74	3,440,542.84	3,701,122.39
FLEET MANAGEMENT	631,558.18	167,241.41	568,131.56	230,668.03	492,363.27
PAYROLL	(13,803,636.42)	25,248,893.08	19,330,537.93	(7,885,281.27)	(5,904,283.03)
RISK MANAGEMENT	11,688,625.07	1,462,232.55	992,920.00	12,157,937.62	12,382,112.33
PENSION	598,292.77	3,694,140.66	3,467,052.10	825,381.33	397,629.12
SCHOOL FUND	1,723,091.17	9,971,056.69	8,315,418.74	3,378,729.12	6,180,455.32
SCHOOL CAPITAL PROJECTS	16,651,445.96	4,506.33	5,368,273.29	11,287,679.00	4,931,545.90
SCHOOL FOOD SERVICE	285,643.88	589,441.54	602,921.94	272,163.48	(132,577.28)
FDETC	0.00	0.00	0.00	0.00	1,104.27
GRANT	1,105,358.20	492,590.28	750,626.64	847,321.84	466,455.44
TOTAL	\$122,525,273.35	\$65,708,453.43	\$69,059,613.13	\$119,174,113.65	\$127,879,149.11

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE STATEMENT OF MY ACCOUNTABILITY TO THE CITY OF ROANOKE, VIRGINIA, FOR THE FUNDS OF THE VARIOUS ACCOUNTS THEREOF FOR THE MONTH ENDED JUNE 30, 2005.
THAT SAID FOREGOING:

CASH

CASH IN HAND	\$9,842.93
CASH IN BANK	886,502.93

INVESTMENTS ACQUIRED FROM COMPETITIVE PROPOSALS:

COMMERCIAL HIGH PERFORMANCE MONEY MARKET	2,400,000.00
COMMERCIAL PAPER	7,404,294.31
LOCAL GOVERNMENT INVESTMENT POOL	6,986,865.44
MONEY MANAGEMENT ACCOUNT	10,680,340.49
REPURCHASE AGREEMENTS	5,000,000.00
U. S. AGENCIES	33,649,782.99
VIRGINIA AIM PROGRAM (U. S. SECURITIES)	22,327,203.40
VIRGINIA SNAP PROGRAM (U. S. SECURITIES)	29,829,281.16

TOTAL

\$119,174,113.65

JULY 19, 2005


EVELYN W. POWERS, TREASURER

**CITY OF ROANOKE PENSION PLAN
COMPARATIVE STATEMENT OF CHANGES IN PLAN NET ASSETS
FOR THE TWELVE MONTHS ENDED JUNE 30, 2005
(UNAUDITED)**

	<u>FY 2005</u>	<u>FY 2004</u>
<u>Additions:</u>		
Employer Contributions	\$ 6,813,820	\$ 5,404,275
Investment Income		
Net Appreciation in Fair Value of Investments	22,954,487	33,966,892
Interest and Dividend Income	3,130,443	2,641,661
Total Investment Income (Loss)	26,084,930	36,608,553
Less Investment Expense	577,284	609,870
Net Investment Income (Loss)	25,507,646	35,998,683
Total Additions	<u>\$ 32,321,466</u>	<u>\$ 41,402,958</u>
 <u>Deductions</u>		
Benefits Paid to Participants	\$ 20,259,828	\$ 18,171,213
Administrative Expenses	311,624	289,449
Total Deductions	<u>20,571,452</u>	<u>18,460,662</u>
 Net Increase	11,750,014	22,942,296
 Net Assets Held in Trust for Pension Benefits:		
Fund Balance July 1	306,925,353	283,983,057
Fund Balance June 30	<u><u>\$318,675,367</u></u>	<u><u>\$306,925,353</u></u>

**CITY OF ROANOKE PENSION PLAN
COMPARATIVE BALANCE SHEET
JUNE 30, 2005
(UNAUDITED)**

	<u>FY 2005</u>	<u>FY 2004</u>
<u>Assets</u>		
Cash	\$ 824,891	\$ 558,910
Investments, at Fair Value	318,152,698	307,123,019
Employer Contributions Receivable	271,048	192,902
Accrued Investment Income	132,315	174,407
Other Assets	<u>7,001</u>	<u>6,531</u>
Total Assets	<u>\$ 319,387,953</u>	<u>\$ 308,055,769</u>
 <u>Liabilities and Fund Balance</u>		
Liabilities:		
Accounts Payable	\$ 174,651	\$ 169,233
Payable for Cash Collateral on Loaned Securities	<u>537,935</u>	<u>961,183</u>
Total Liabilities	<u>712,586</u>	<u>1,130,416</u>
 Fund Balance:		
Fund Balance, July 1	306,925,353	283,983,057
Net Gain (Loss) - Year to Date	<u>11,750,014</u>	<u>22,942,296</u>
Total Fund Balance	<u>318,675,367</u>	<u>306,925,353</u>
Total Liabilities and Fund Balance	<u>\$ 319,387,953</u>	<u>\$ 308,055,769</u>

**CITY OF ROANOKE, VIRGINIA
SUMMARY OF CITY MANAGER TRANSFERS
AND AVAILABLE CONTINGENCY
JUNE 30, 2005**

<u>Transfer Number</u>	<u>Date</u>	<u>Explanation</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
<u>General Fund:</u>					
CMT-929	08/03/04	Records Management Automation Program	Residual Fringe Benefits	Police Services	\$ 56,101
CMT-948	09/02/04	VISSTA	Residual Fringe Benefits	VISSTA	5,660
CMT-948	09/02/04	Electronic Transfer of Real Estate Deed Recordings	Residual Fringe Benefits	Commissioner of the Revenue	7,400
CMT-960	10/18/04	Phase I of City's Deer Management Program	Residual Fringe Benefits	Police Animal Control	64,440
CMT-974	11/22/04	Replace Security Van to Transport Inmates	Fleet Management- Capital Outlay	Jail	24,000
CMT-977	11/29/04	Professional Employee Search Fees	Contingency-General Fund	Human Resources	31,230
CMT-983	01/18/05	Funding for Program Specific Grant Funds	Contingency-General Fund	Police	20,442
CMT-985	01/18/05	Vehicle Replacement	Jail	Fleet Management- Capital Outlay	38,180
CMT-988	01/21/05	Employee Tuition Assistance and Employee Gift Certificate Recognition Programs	Contingency-General Fund	Human Resources	20,000
CMT-999	02/02/05	Courtroom Chairs	Residual Fringe Benefits	Juvenile and Domestic Relations Court Clerk	24,685
CMT-1005	02/15/05	Transfer of Employee to Solid Waste Management	Citizen Service Center	Solid Waste Management - Refuse/ Recycling	21,529
CMT-1024	04/07/05	Scoreboard Hoist Replacement	Contingency-General Fund	Civic Center Improvements	68,000
CMT-1037	04/29/05	Civic Center Rental and Bus Shuttle for Department Sponsored Events	Contingency-General Fund	Director of General Services	20,000
CMT-1046	05/05/05	In-Car Cameras	Residual Fringe Benefits	Police Patrol	43,000
CMT-1057	05/31/05	Improved Maintenance of RCIT	Contingency-General Fund	Transportation Streets and Traffic	22,893
CMT-1069	06/08/05	Retrofit Tactical Response Team Vehicle	Police Animal Control	State Homeland Security FY05	16,016
CMT-1076	06/23/05	Additional Funding for Contributions to Agencies	Contingency-General Fund	Memberships and Affiliations	30,779
CMT-1081	06/23/05	Washington Park Environmental Study	Contingency-General Fund	Environmental Issues Citywide	15,000
CMT-1086	06/28/05	General Relief and Auxiliary Grant Payments	Contingency-General Fund	Income Maintenance	60,000
CMT-1094	06/28/05	Market District Plan Study	Contingency-General Fund	Market District Plan Study	99,000

**CITY OF ROANOKE, VIRGINIA
SUMMARY OF CITY MANAGER TRANSFERS
AND AVAILABLE CONTINGENCY
JUNE 30, 2005 (CONTINUED)**

<u>Transfer Number</u>	<u>Date</u>	<u>Explanation</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
<u>General Fund (Continued):</u>					
CMT-1100	06/29/05	Market Building Roof Repair	Residual Fringe Benefits	Market Building Roof Repair	61,293
CMT-1101	06/29/05	Market Building Roof Repair	Contingency-General Fund	Market Building Roof Repair	40,216
CMT-1105	06/29/05	Market Building Operating Expenses	Residual Fringe Benefits	Market Building Operations	51,424
CMT-1113	06/30/05	Countryside Golf Course Survey	Contingency-General Fund	Countryside Golf Course	20,000
CMT-1061	06/08/05	Program Specific Grant and Donations	Contingency-General Fund	Police Patrol	29,284
CMT-1065	06/08/05	NPDES Phase II Project	Environmental Issues- Public Works	NPDES - Phase 2	10,845
CMT-1121	08/09/05	FY05 Expenses Higher than Anticipated	Purchasing	City Manager	13,390
CMT-1121	08/09/05	FY05 Expenses Higher than Anticipated	Purchasing	Economic Development	14,270
CMT-1124	08/09/05	FY05 Expenses Higher than Anticipated	Municipal Auditing	Building Inspections	10,320
CMT-1126	08/09/05	FY05 Expenses Higher than Anticipated	Juvenile and Domestic Relations Court Services	Transportation - Engineering and Operations	18,430
CMT-1132	08/09/05	FY05 Expenses Higher than Anticipated	Juvenile and Domestic Relations Court Services	Solid Waste Management - Refuse/Recycling	11,220
CMT-1139	08/09/05	FY05 Expenses Higher than Anticipated	Parks/ Billings and Collections	Miscellaneous	47,030
CMT-1143	08/10/05	FY05 Expenses Higher than Anticipated	E911 Center/ Purchasing	Fire	55,240
CMT-1143	08/10/05	FY05 Expenses Higher than Anticipated	E911 Center/ Purchasing	EMS	13,620
CMT-1144	08/10/05	FY05 Expenses Higher than Anticipated	Police	Libraries	35,870
CMT-1148	08/12/05	FY05 Expenses Higher than Anticipated	Municipal Auditing	Parks	21,900
Total General Fund					<u>\$ 1,142,707</u>
<u>Civic Facilities Fund:</u>					
CMT-1024	04/07/05	Scoreboard Hoist Replacement	Contingency-General Fund	Civic Center Improvements	68,000
CMT-1136	08/09/05	General Fund Operating Subsidy	Contingency-General Fund	Civic Facilities Capital Outlay	300,000
Total Civic Facilities Fund					<u>\$ 368,000</u>

**CITY OF ROANOKE, VIRGINIA
SUMMARY OF CITY MANAGER TRANSFERS
AND AVAILABLE CONTINGENCY
JUNE 30, 2005 (CONTINUED)**

<u>Transfer Number</u>	<u>Date</u>	<u>Explanation</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
<u>Capital Projects Fund:</u>					
CMT-1034	04/07/05	Lick Run Greenway Project	Mill Mountain Greenway	Lick Run Greenway	13,149
CMT-1081	06/23/05	Washington Park Environmental Study	Contingency-General Fund	Environmental Issues Citywide	15,000
CMT-1094	06/28/05	Market District Plan Study	Contingency-General Fund	Market District Plan Study	99,000
CMT-1102	06/29/05	Market Building Roof Repair	Capital Improvements Reserve	Market Building Roof Repair	72,491
CMT-1113	06/30/05	Countryside Golf Course Survey	Contingency-General Fund	Countryside Golf Course	20,000
Total Capital Projects Fund					<u>\$ 219,640</u>
<u>Market Building Operations Fund:</u>					
CMT-1100	06/29/05	Market Building Roof Repair	Residual Fringe Benefits	Market Building Roof Repair	61,293
CMT-1101	06/29/05	Market Building Roof Repair	Contingency-General Fund	Market Building Roof Repair	40,216
CMT-1102	06/29/05	Market Building Roof Repair	Capital Improvements Reserve	Market Building Roof Repair	72,491
CMT-1105	06/29/05	Market Building Operating Expenses	Residual Fringe Benefits	Market Building Operations	51,424
CMT-1136	08/09/05	General Fund Operating Subsidy	Contingency-General Fund	Market Building Operations	100,000
Total Market Building Operations Fund					<u>\$ 325,424</u>
<u>Fleet Management Fund:</u>					
CMT-974	11/22/04	Replace Security Van to Transport Inmates	Fleet Management-Capital Outlay	Jail	24,000
CMT-985	01/18/05	Vehicle Replacement	Jail	Fleet Management- Capital Outlay	38,180
Total Fleet Management Fund					<u>\$ 62,180</u>
<u>Grant Fund:</u>					
CMT-1069	06/08/05	Retrofit Tactical Response Team Vehicle	Police Animal Control	State Homeland Security FY05	16,016
Total Grant Fund					<u>\$ 16,016</u>

CITY OF ROANOKE, VIRGINIA
SUMMARY OF CITY MANAGER TRANSFERS
AND AVAILABLE CONTINGENCY
JUNE 30, 2005
(CONTINUED)

<u>Transfer Number</u>	<u>Date</u>	<u>Explanation</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
<u>Available Contingency</u>					
Balance of Contingency at July 1, 2004					\$ 865,465
Contingency Transfers:					
CMT-930	08/04/04	Virginia Museum of Transportation	Contingency	Roanoke Arts Commission	(22,000)
CMT-955	09/17/04	Litigation Costs	Contingency	Economic Development	(55,000)
CMT-957	10/07/04	Low Cost Air Carrier Consulting	Contingency	Regional Competitiveness	(15,300)
CMT-964	11/01/04	Citizen Service Center	Contingency	Citizen Service Center	(24,958)
CMT-966	11/01/04	Bird Abatement Program	Contingency	Transportation- Streets & Traffic	(10,000)
CMT-968	11/10/04	Sublease Amendment at Jefferson Center	Contingency	Fire- Operations	(12,019)
CMT-968	11/10/04	Sublease Amendment at Jefferson Center	Contingency	Police- Training	(12,985)
CMT-971	11/22/04	Low Cost Air Carrier Consulting	Contingency	Regional Competitiveness	(1,800)
CMT-994	01/25/05	Branding Initiative	Contingency	Marketing Identity	(17,700)
CMT-1004	02/14/05	Snow Removal	Contingency	Transportation - Snow Removal	(58,010)
CMT-1011	03/05/05	Additional External Auditor Fees	Contingency	Municipal Auditing	(10,000)
CMT-1012	03/17/05	Contract Extension for Grant Writing Services	Contingency	Grant Writing Services	(48,000)
CMT-1022	04/06/05	Public Works Picnic	Contingency	Transportation - Engineering	(2,000)
CMT-1037	04/29/05	Civic Center Rental and Bus Shuttle for Department Sponsored Events	Contingency	Director of General Services	(20,000)
CMT-1038	04/29/05	Sponsorship of Tourism Cares for America and Business After Hours	Contingency	City Manager	(8,930)
CMT-1057	05/31/05	Improved Maintenance of RCIT	Contingency	Transportation- Streets & Traffic	(22,893)
CMT-1076	06/23/05	Contributions not Budgeted and Payments in Excess of Budget	Contingency	Memberships and Affiliations	(30,779)
CMT-1079	06/23/05	General District Court Office Equipment	Contingency	General District Court	(8,000)
CMT-1081	06/23/05	Washington Park Environmental Study	Contingency	Environmental Issues Citywide	(15,000)
CMT-1092	06/28/05	Expenses for Circuit Court Judges	Contingency	Circuit Court	(6,270)
CMT-1094	06/28/05	Market District Plan Study	Contingency	Market District Plan Study	(99,000)

**CITY OF ROANOKE, VIRGINIA
SUMMARY OF CITY MANAGER TRANSFERS
AND AVAILABLE CONTINGENCY
JUNE 30, 2005
(CONTINUED)**

<u>Transfer Number</u>	<u>Date</u>	<u>Explanation</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Contingency Transfers (Continued):					
CMT-1136	08/09/05	Operating Subsidies for Market Building and Civic Facilities Funds	Contingency	Market Building Operations / Civic Facilities Capital Outlay	(181,307)
CMT-1113	08/09/05	Countryside Golf Course Study	Contingency	Countryside Golf Course	(20,000)
Contingency Increases/(Appropriations) Through Budget Ordinances:					
BO36974-01	03/04/05	Snow Removal	Contingency	Transportation - Snow Removal	(130,000)
BO37070-02	06/08/05	Comprehensive Services Act	Contingency	Social Services	(87,659)
BO37093-3	06/29/05	Additional Allocation of Contingency Funds Resulting From Increased Recordation Tax	Recordation Tax Revenue	Contingency	136,000
Available Contingency at June 30, 2005					<u>\$ 81,855</u>

Notes:

Under City Code section 2-121, the City Manager has authority to make transfers up to \$75,000 between departments from July through March and in any amount from April to June. The City Manager has the authority to make unlimited transfers within departments. The scope of this report is limited to interdepartment transfers that are \$10,000 or greater.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Session and meetings of the Urban Section of the Virginia Municipal League and designating a Staff Assistant for any meetings of the Urban Section.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. For the Annual Business Session of the Virginia Municipal League to be held during the League's 2005 Annual Conference scheduled for October 23 – 25, 2005, in Richmond, Virginia, and for any meetings of the Urban Section held in conjunction with the Annual Conference of the League, The Honorable _____, Council Member, is hereby designated Voting Delegate, and The Honorable _____, Council Member, is hereby designated Alternate Voting Delegate.

2. For any meetings of the Urban Section of the Virginia Municipal League to be held in conjunction with the League's 2005 Annual Conference, _____, shall be designated Staff Assistant.

3. Mary F. Parker, City Clerk, is directed to complete any forms required by the Virginia Municipal League for designation of Voting Delegate, Alternate Voting Delegate and Staff Assistant and to forward such forms to the League.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Meeting of the National League of Cities.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. For the National League of Cities Conference to be held on Saturday, December 10, 2005, in Charlotte, North Carolina, and any Business Meetings in connection with such Conference, The Honorable _____, Council Member, is hereby designated Voting Delegate, and The Honorable _____, Council Member, is hereby designated Alternate Voting Delegate on behalf of the City of Roanoke, Virginia.

2. Mary F. Parker, City Clerk, is directed to take any action required by the National League of Cities with respect to certification of the City's official Voting Delegate and Alternate Voting Delegate.

ATTEST:

City Clerk.